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If you have an idea that you know all there is to be known about advertising, the first thing ,ou ought to do is forget it .-Jim's Junk.

TO CHARGE OF MURDER

Opening Statement of Clarence Darrow, in Which He Promises to Convince Counsel for the State.

Taking of Testimony Begins This Morning and Will Not Last Over Seven or Eight Days.

that occupied two sessions of the district court today, Clarence Darrow of Chicago outlined to the jury the debroad description, it is to be a denial of every material count in the testi- his own life. mony of Orchard, with a showing that Orchard killed Steunenberg because of a private grudge borne of the loss of Federation of Miners, but Pettibone vill not be a wittness in this case. Mr. Darrow explained that Moyer and Petcumstances, of exposing men awaiting dog.'

trial under like circumstances. Existence of Conspiracy Denied.

Mr. Darrow denied the existence of by the state with Orchard's testimony as a basis; denied that the federation him as he requested. was anything but an earnest fighting labor organization with higher wages, shorter hours, tolerable working conditions, and the care and safety and edcharacter not connected by any tie state. with the federation or its leaders.

Charges Made by Defense.

rado and the Pinkerton Detective asso- "Jack" on December 21, and which Orof the mine owners had, he asserted, of it. committed many minor crimes to disthat the defense would show that it ises, unless cross-examination is excep-

Boise, Idaho, June 24.-In an address, rage as an "attempt" that had mis tailed plea and defense of William D. tion and not "Bill" Haywood was on Haywood to the charge that he mur-dered former Governor Steunenberg. In hyand description it is to be a denial wood and Pettibone that he might save

In explanation of the draft for \$100 a rich share in the great Hercules mine, which Haywood sent to Jack Simpkins and explanations of the independent on December 21, 1905, Mr. Darrow circumstances that tend to connect the promised that the defense would show three co-defendants with Orchard's life that Simpkins had an expense account and occupations. Haywood will take for \$223 against the federation, and the stand to make personal denial of that after Simpkins himself had cashed Orchard's accusations, Moyer may be the check for that amount in Denver, called to testify solely to events and he gave Haywood \$100, with the request circumstances affecting the Western that he mail the amount to him at his home in Spekane.

ibone must stand trial for this same clared that any one could make friends crime, and declared that every lawyer with Pettibone, and that Pettibone had the danger, whatever the cir- fed Orchard as he would "any other As to their financial relations, Darrow said that when Orchard left Denver for Wyoming he gave Pettibone his money, his Masonic badge and other trinkets, and some papers for the great conspiracy to murder alleged safe keeping. From time to time Pettibone forwarded parts of the money to

Package Sent by Pettibone.

The registered package that went to San Francisco contained the Masonic and children as its high and only motives; denied the intimacy with the Francisco was sent in a manner and three co-defendants that Orchard laid under assumed names that Orchard had claim to; denied the several confer-directed and suggested in a telegram ences and conversations that Orchard sent to Pettibone. The use of assumed swore to: denied that Orchard had even names, counsel declared, was a common stand and many witnesses of creditable denied justice and driven from the

would probably not undertake a showing as to the unsigned letter received Mr. Darrow charged that agents of by Orchard at Caldwell jail-the letter the Mine Owners' association of Colo-that said "That" had been sent to ciation had joined hands in a con-chard swore Pettibone wrote-and at spiracy to discredit and destroy the the close both sides would probably Western Federation of Miners. Agents argue their respective constructions

The defense will call its first witness credit the federation, and promised at 9:30 tomorrow morning, and prom-

CLARENCE DARROW'S STATEMENT IN BEHALF OF THE THREE DEFENDANTS

Mr. Darrow at once took up his place directly in front of the twelve solemnvisaged men in the jury box and began in the slow, mellow drawl characteristic of him, to state the theory and plan of the defense to be offered for all plan of he defense to be offered for his client. Mr. Darrow reminded the jurors of the instruction given them by the court that they are to keep their minds entirely they are to keep their minds entirely open as to the guilt or innocence of the accused man until all the evidence from both sides has been introduced.

Theory of the State.

wide ground in his opening for the state and we will have to meet him step by The defendant here is charged nominally with the murder of former Gover-nor Steunenberg. There had to be some nominal charge. But the state has told you the case rests upon a giant conspiracy of which the defendant among others is

politics, to hire lawyers and other criminal things.

"Part of this is true; part of it is not true, It is true there is a labor organiza-tion known as the Western Federation of Miners. It is true the Western Fed-eration of Miners has spent money for It was unfortunate, but most people have to employ lawyers at some

"This organization was really born in 1892-1893, right down in a cell beneath this court room, where Ed Boyce, the first orphans of its members—this during the court room, where Ed Boyce, the first orphans of its members—this during the president, was a prisoner, and where now time this alleged criminal conspiracy exthe three men, charged with this murder, are awaiting the judgment of this jury. To start out with, they hired lawyers and they hired the best they could. They hired Mr. Hawley, now the leading counsel for the state; Mr. Hawley laid out the plan of their organization for them; he advised them; he was the godfather of the Western Federation of Miners and the men who formed the organization thought men who formed the organization thought it was an innocent undertaking. Mr. Haw-ley was their first attorney and contin-If there was anything criminal in their

A great crowd gathered this morning in appropriating money for a lawyer the the room where William D. Haywood is miners did not know it. on trial, to hear the speech of Clarence Darrow, of Chicago, outlining the purposes of the defense in combating the evidence put in by the state. The formalities of opening the session at an end, Mr. Darrow at once took up his place. has done such a thing. If we did no cor-poration would be safe. The Western Federation of Miners did all it could to pass the eight-hour law in Colorado, Utah and Montana. It tried to elect friendly United States senators. It tried to elect Mr Hawley, but unfortunately failed."

Mine Owners Angels.

Mr. Darrow went on to say that there was no claim that the Western Federation of Miners was an organization of angels. "Angels do not work in the mines," declared the attorney; "they are "You have listened to the theory and the evidence of the state," Mr. Darrow went on at length to outline the organization of the Western Federal of Miners. He desired in the organization of the Western Federal of Miners. eration of Miners. He declared it was othing but a beneficial organization, try ing to uplift its class. It was not until ten years after the organization of the union that either Haywood or Moyer took

thing the Western Federation of Miners has done," declared Mr. Darrow. "It has a part.
"The state's attorney has told you the been a fighting organization from the first murder of Governor Steunenberg was but an incident. They have told you the Western Federation of Miners was an organization to commit murder, to control wollding to him large murder to control period.

Changes Wrought in Conditions.

"Before the Western Federation of Miners came into existence the miners had work from twelve to fourteen hours a When they wanted food they had to buy it at the company stores. When they were injured they were taken to the company hospital, where there little difficulty in getting a statement re-Hawley Federation's First Lawyer. leasing the company from all damage.
"The conditions are vastly different to day. The Butte union alone has paid

> Mr. Darrow went at some length to has had since its inception. In some communities, he declared, the president of the organization when he went to visit miners was refused both food and lodging by the mining companies Arrests have come thick and fast," the attorney continued. "Some of the charges were purely imaginary and in ninety-nine

Continued on Page 2.

TENEMENT HOUSE COLLAPSES IN NEW YORK AND NINE PERSONS ARE MISSING

Simpkins' Expense Account.

Of the personal relations between Orchard and Pettibone, Mr. Darrow de-

ucation of its members and their wives pin, trinkets and papers, and the money ommitted many of the crimes he had practice among the union miners of Colboasted of; and promised to make proof orado, made a stern necessity by the of his contentions with many of the blacklisting of union miners, whom he men named by Orchard when on the declared had been abused, hounded,

.Mr. Darrow said that the defense

London, June 24.-Premier Campbell-

before the fullest house of the session. houses in the north part of the town. • Estes, • which was a reasonable inference that they tionally long, to make all of its proof engineered the Independence depot out- within seven or eight days.

The resolution was as follows:

The resolution was as follows:

The resolution was as follows:

"That in order to give effect to the will of the people, as expressed by their elected representatives, it is necessary that the power of the other house to alter or reject bills passed by this house should be restricted by law; that within the limits of a single parliament the final decision of the house of commons shall

Moves His Resolution in the

British Commons.

was not proposed that the resolution should be moved in the upper house after its discussion in the house of commons had been completed. lution embodied the principle of the pre-dominance of the house of commons and said that in adopting this course the government was following certain historic

Merely at a Test.

The resolution itself, even if adopted, would not have the effect of law or procure the desired results; a bill would be necessary and the government would exercise its discretion as to when it should be introduced. His majesty's ministers have decided to test the opinion of members and make sure that they have the house of commons behind them. They hold the view that the house of commons alone is authorized to express the country's sentiments. He declared that the only course open was to recognize the constitutional authorities which is recognize the onstitutional authorities which resided

the house of commons.

Amidst loud ministerial cheers the premier protested that parliament should not be usurped by a non-elective house. The government proposed that there should be conferences between the house of commons and the house of lords where differences arise over a bill. If no agreement was reached the bill should be reintroduced and sent to the house of lords. introduced and sent to the house of lords with a declaration that, should a sec-ond conference fail to result in an agree-

SIDEWALK COLLAPSED.

Four Persons injured, One Seriously, in San Francisco.

San Francisco, June 24.-Four persons, all from Oakland, were injured today, one of them seriously, by the collapse of a temporary sidewalk on Market street, between First and Frenont. The injured: F. M. Kaiser, badly bruised and pos-

Oklahoma City, June 24.—Southbound Santa Fe passenger train No. 465 ran into

Santa he passenger train No. 405 ran into a freight train that was taking a siding as it entered the yards at Perry, Okla., at midnight last night. The engine and several coaches are reported to have been derailed and a number of persons badly injured, but no one was killed.

BOY!

Premier Campbell-Bannerman Six Persons Injured and One Trial of Judge W. G. Loving for the Killing of Theodore Es-

Bannerman today moved his resolution distinct tornadoes struck Medicine Lodge + Houston, Va., June 24.—The trial curtailing the power of the house of lords late last night, destroying twenty-five + of former Judge W. G. Loving for the murder of young Theodore nurder of young Theodore + a sequel of a buggy ride + Estes took with Loving's + Several persons are reported missing and much damage done to property in the surrounding country.

Missing.

Mrs. Beli, an aged woman.

Injured.

The taking of testimony began upon the taking of the court, and the reconvening of the court, and the reconvenient of the reconvenient taking of testimony began upon the reconvenient taking of the court, and the reconvenient taking of the court, and the reconvenient taking of the court. the reconvening of the court, and late this afternoon the common-

> ***************** Houston, Va., June 24.-The trial of former Judge W. G. Loving of Nelson county for the murder of Theodore Estes, son telegraph wires, which shut off commu-nication with the outside and causing of Sheriff M. K. Estes of Nelson county,

panied by a terrific fall of rain and hail, Judge Loving, armed with a double-The greater part of the damage sus-ained in Medicine Lodge was in the northern part of the town. The residence of United States Senator Long was slightaged. The Long family escaped The residence of Ralph Faxon, 19-year-old daughter of Judge Loving. The girl, when brought home, it developed, had been drinking and it is alleged that her escort had been maltreating her. Senator Long's secretary, was demolished, but the family escaped. Other property damaged includes the Gypsum mill and the Santa Fe round house.

Mrs. Lyle was the most seriously injured. While seeking shelter she was blown into a tree from which she was blown into a tree from which she was broaded in a unconscious condition.

The girl, when brought home, it developed, had been drinking and it is alleged that her escort had been maitreating her. Acting under the impulse that his daughter had been drinking and it is alleged that her escort had been drugged and assaulted. Judge Loving immediately went in search of Estes. After the shooting he said: Shot to Kill.

The Home Coming of the Hero.

Missing at Medicine Bow,

Home of Senator Long.

Medicine Lodge, Kan., June 24.-Three

Miss Mary Griffith, internally.

which damaged crops.

damaged.

Mrs. Morros, arm broken. Mr. and Mrs. J. T. Saury, bruised.

Wind, Rain and Hail.

Lodge, which has a population of about 1,000 persons, shortly after 7 o'clock Sunday evening, destroying telephone and

Senator Long's Family Escaped.

first tornado struck Medicin

Did Not Mean Labor Unions or Strikers by His Reference to "Unwhipped Mob."

rescued in an unconscious condition.

San Francisco, June 24.-General Funs- written law." ton, whose letter to the Fourth of July committee refusing to parade the regular troops under his command because he whipped mob in San Francisco," has led to considerable comment and criticism, gave out a statement this morning and said that by his reference to the "on."

A venire of sixty to the dead man Miss Loving, who has lived in seclusion since the tragedy, appeared in public yesterday for the first time.

A venire of sixty to the contract of the contract sible internal injuries.

James Peterson, badly bruised.

Miss M. McElroy, badly bruised.

The sidewalk extended over an open basement fifteen feet deep, into which twelve persons passing at the time were precipitated. All were badly shaken up, but with the exception of those named no one was badly hurt.

WRECK ON SANTA FE.

Ottlebows City Lyne 24 Seath. sons stated.

Washington, June 25 .- The attention of the officials of the war department nat-urally has been attracted to the statement of General Frederick Funston to the of-Torna in the corner of Lafayette and Walk-morning. The police announced that eight police fear that most of the Italian fambles were in the building. Seven are known to have escaped, two have been if the entered the yards at Perry, Okla, at the entered the yards at Perry, Okla, at a timely has been attracted to the statement of General Frederick Funston to the effect that he did not care to parade his feet that he did not care to parade his feet that he did not care to parade his feet that he did not care to parade his from the offer that he did not care to parade his from the residence of the was today married to the statement of General Frederick Funston to the effect that he did not care to parade his from the realled and a number of persons badly tour of south married to the statement of South America, has been was today married to the statement of General Frederick Funston to the effect that he did not care to parade his feet that he did not care to parade his from the rounce of the bride's mother and one officer. The office feet at an dark the ruins.

TORNADO IN MICHIGAN.

Kalamazoo, Mich., June 24.—A tornado the passengers and correlation of the passenger and one officer that he did not care to parade his feet that he did not care to parade his from the rounce of the bride's mother in this case of South America, has been was today married to Mrs. Married to

tes in Virginia. *****************

wealth rested its case and Judge these lands, who secured their title from the written law, had taken the witness that when they were sold that the land constand in his own behalf.

other damage. Later two other torna-does struck, completing the damage done by the first. The third storm appeared shortly before midnight. All three came from the northwest and were accom-tionalism the Bywaters case in Culpeptionalism the Bywaters case in Culpep-

barrelled shotgun, instantly killed Estes while he was unloading a car of fertilizer in Oak Ridge on April 22. The shooting was the sequel to a buggy ride taken on the evening prior to the homicide by young Estes and Elizabeth Loving, the

"I shot to kill. Every drop of blood in my body called for vengeance. I wo have gone a hundred miles to kill him.

Backed by the millions of Thomas F. Ryan, of whose Virginia estate he has been overseer for a number of years and with powerful political influence every device known to the legal frater-nity will be availed of in the efforts to acquit the judge. The plea of the defense will be emotional insanity and the

The relatives of young Estes, whose family connections extend to the governor of this state, will exert every effort to clear the memory of the dead man from any stain of wrong doing.

The work of empanelling a jury was begun upon the convening of court.

Son of the Late Senator Wived a Third Time-Bride Has Had Experience.

Cleveland, Ohio, June 24.—Dan + Hanna, son of the late M. A. Hanna, + was today married to Mrs. Mary + Stuart, at the residence of the

UTAH RECOVERS LANDS; TITLES TO BE CLEARED Controversies Between State and Government

Concerning Coal Tracts Will Soon Be at an End.

Department of Interior Will Classify All Areas in Doubt-Indictments Will Probably Be Quashed.

the federal government in regard to the disposition of public lands in Utah are on a fair way to amicable settlement, as the result of the visit to Sait Lake of James R. Garfield, secretary of the interior.

drop the actions begun in the federal district court to secure the return of coal lands selected by the state and sold to individuals by the state board of land commissioners. There is a chance that the indictments returned against prominent Utah citizens charging conspiracy in purchasing known

dismissed.

In addition to this, all selection of lands by the state where it is proved that it was not known at the time of the selection that they were coal lands will be confirmed.

Includes Coal Lands.

The government will take immediate action on the applications of Utah cit-izens to the state land board for public lands comprising portions of the state se-lections which have been held up for two years awaiting a settlement of the land fraud cases in the west. Included in this

The federal land office also intends to send a corps of experts to examine all public lands in Utah and to segregate the coal and mineral lands in the sections al-ready granted the state, in order that in the future there may be none of the dif-ficulties already experienced in dealing with the land problem. The coal lands will be taken back by the government and other lands given in lieu thereof.

After this examination has been made

These concessions in favor of the stateits citizens were substantia to after a conference between the Utah delegation to the public lands convention at Denyer and Secretary Garfield and R. A. Ballinger, commissioner of the gen-eral land office. The conference was be-

of this character was sold when it con-tained coal outcroppings of which the

has instituted suits against holders of

Passenger Train Wrecked on the New York Central and Five Persons Meet Death.

Rochester, N. Y., June 24.-Five persons were killed and a number more or less seriously injured last night upon Central railroad, one mile east of Pittsford, when a passenger train crashed into a freight train. The collision took place on a sharp curve at a point known as Mitchell's farm. The smoking car was telescoped and three of the fifteen passengers were instantly killed. Among the victims were a son of the engineer of the freight train, who was in the cab with his father, and who died this morning, and a brakeman. Engineer Lyons, who was brought to Rochester with the dead and injured on a special train, is not expected to

live. There are twelve injured in Rochester hospitals, all of whom with the exception of Lyons, are expected to re-

The passenger train had only been running a short time, running on Saturdays and Sundays. It is suspected the conductor of the freight train forgot that the passenger train was run-The Dead.

Emmett Lyons, 14 years old, son of

James Lyons, engineer of freight train. Miles S. Cutting, station agent at Railroad Mills. B. H. Vrom, front brakeman.

J. B. McArthur, bridge foreman. Unidentified man.

All controversies between the state and tained coal and that the state never had

May Retain Title.

In all probability, the government will The position of the government now seems to be that when the lands selected were not known to be coal lands when the selections were made, the owners may retain their title through the state, but in cases where they were known to be coal lands at the time of their selection the

coal lands as agricultural lands will be At the last session of the legislature At the last session of the legislature \$5,000 was appropriated to defend a suit instituted by the government against A. A. Sweet of Salt Lake for the return of coal lands purchased from the state and situated in Carbon county. The state claimed in this suit that it was not known that when the lands were sold that they contained coal deposits, as there were no surface indications of this fact. The government claimed that this did not make any difference, and that so long as they were shown to contain coal deposits the owner must surrender them. This attitude has now been changed, and the state probably will not have to spend fraud cases in the west. Included in this will be applications for coal lands which it can be proved were not known to contain deposits when the selections were made.

The foderal land office also winds to the state probably will not have to spend the \$5.000 appropriated to defend the case, as it is quite likely that the department of justice will drop this and all similar civil actions.

Indictments to e Quashed.

On the same grounds numerous indic ments were returned by the federal grand jury last spring against prominent citizens of Utah, charging conspiracy in the selection of lands, and it seems to be the only logical conclusion that when the proper time comes these indictments will, at least in part, he polled.

will be taken back by the government and other lands given in lieu thereof.

After this examination has been made and the character of the lands determined, the order withdrawing the right of entry on coal lands will be rescinded and the independent coal dealers will be given a chance to perfect their claims to lands already applied for and to purchase other lands in accordance with the land office regulations.

Result of Conference.

Proper time comes these indictments will, at least in part, be nolled.

For the past two years all applications of Utah citizens to the state lands under selections from the government have been held up at the general land office in Washington. Secretary Garfield and Commissioner Ballinger, it is said, have assured the state board of land commissioners that these applications will be assured the state board of land commissioners that these applications of Utah citizens to the state lands under selections. The purchase of state lands under selections from the government have been held up at the government have been held up at the government have been held up at the government selections. The purchase of the state board of land commissioners that these applications will be assured the state board has just received a telegram from Washington to ceived a telegram from Washington to the effect that the first of the applica-

board within a few days. Will Order Inspection.

In order that there may be no controvergun in Denver and was continued on the train, which bore the secretary and his party to Salt Lake.

sies in the future in regard to coal lands, the government will order an inspection of all public lands remaining in Utah train, which bore the secretary and his party to Salt Lake.

If the government carries out the promises here outlined, the benefit to the state will mount into hundreds of thousands of dollars. When the state was admitted to the union the government gave to it for the use of the public schools four sections of every township, those sections being Nos. 8, 16, 24 and 32. The state, relying on these gifts, has sold a large portion of this land. In some instances land of this character was sold when it considered to the independent coal. This means that the independent coal companies, which have been complaining state was aware at the time, although it gives them a chance to compete with the railroad concerns, they are not abl secure land from which to mine coal on will be beyond danger of this sort. It is further stated that any danger of a fuel famine in future years will be re-

has instituted suits against holders of these lands, who secured their title from retary Garfield or Commissioner Ballinger, the program as mapped out no doubt be adhered to. The state b f land commissioners, it is understood has taken the secretary at his word and expects that within a short time the whole complicated situation will be complicated situation will

DIVIDENDS AND INTEREST.

New York, June 24.-The quarterly dividend and interest disbursement this year by various corporations will reach a grand total of \$182,881,849.
This is \$18,578,678 greater than the aggregate of last year, and is larger than the total of any previous quar-

PATRICK COULD NOT SAVE HIM ANY LONGER

wife murderer, was put to death in the electric chair at Sing Sing early today Two contacts were given. Johnson murdered his wife, Katherine, at his home in Yonkers two years ago in the presence of their two children. He had been an ex-convict, had treated his wife badly. and shot her when she threatened to leave

Albert T. Patrick, the lawyer convicted of the murder of millionaire William Marsh Rice, took a deep interest in Johnson when the two were confined together in the death house, and it was through advice from him that Johnson. to the court, was able to stave off deat!

BIDS FOR OGDEN BUILDING.

(Special to The Herald.) Washington, June 24.—Bids were opened today at the treasury departnt for the construction of the pubwere Tom Lovell & Son, Denton,
Tex., \$50.991; the Campbell Brothers Contsruction company of Salt Lake,

DAN HANNA A MARRYING MAN STEAMER SANTIAGO GOES DOWN OFF THE WEST COAST OF SOUTH AMERICA

Santiago, Chile, June 24.—The Pacific is feared that all except two persons per-Steam Navigation company's coasting ished.

A sister ship, the Arequipa, sank during trading between Panama and the south coast of South America, has been wrecked in a heavy squall, fifty miles north of the coast of the coa

DEFENSE OF HAYWOOD TO CHARGE OF MURDER

Continued from Page 1.

cases out of 100 the men have not even been given the grace of a trial. As soon as the Western Federation of Liners was born the mine owners set about to destroy it and as the chief means of destruction they hired the Pinkerton detective agency, with one McParland at its head. We will show you that this agency has been busy steuthing, following, working and lying to get these men. We will show that they have hired detectives and placed them in positions of responsibility as secretaries and presidents of local unions; that these hired men constantly advised the miners to strike and that when a strike was on they counselled violence, dynamite and murder. They did it at Teliuride; they did it at Cripple Creek, and at many other places.

Federation Always Blamed.

"We will show that the Pinkerton Detective agency has been the chief factor in this case from the very beginning. They have organized themselves into a band to spread caremny against the Western Federation of Miners. We will show that in one case, where a cage fell, because

Federation of Miners. We will show that in one case where a cage fell, because of defective machinery, and sixteen men were killed, it was laid to the Western Federation of Miners.

"The burning of the Moscow university was laid to the leader of the Western Federation of Miners. Every illegitimate child born west of the Mississippi has been wrapped in swaddling clothes, hurried to Denver and laid on the doorstep of the Western Federation of Miners."

Western Federation of Miners."

Mr. Darrow turned his attention to the Miners Magazine. He said that probably many foolish and intemperate things crept into it, but the editors had no college eduation and Moyer and Pettibone paid lit-

"We will read to you matter from the Miners' Magazine not introduced by the state. We will show that they did not advise violence and that they counselled a wise administration and discussed the

Coeur d'Alene Troubles.

Continuing. Mr. Darrow said:

"This brings us to 1839 and the troubles in the Coeur d'Alenes, when Steunenberg was governor. The Western Federation of Miners was getting along all right. Then something happened. An irresponsible mob of 1.000 people made up of miners and merchants, preachers and hangers on and everyone who wanted a ride, went down and the Bunker Hill and Sullivan mines were blown up. The powder was turnished by a rival company. At that time Harry Orchard, who is in this case, had been there for a month carrying a union card. Jack Simpkins was in the Coeur d'Alenes.

"Then came the call for troops. Rightly or wrongly. Steunenberg called for
troops. Jack Simpkins was arrested and
thrown into the 'bull pen'. He was maltreated. He was stood up at a post by a colored soldier and a bayonet was driven into his breast.

Orchard Not at Bunker Hill.

"Harry Orchard was in the Coeur d'Alenes. Harry Orchard was a cheap soldier of fortune, a shoestring gambler who had never done a day's work in his life. He owned a sixteenth share of the Hercules mine, but sold it because of his needs and continued his gambling. The mine didn't yield until 1901. But Orchard, hoping on, stayed around to get a share of the mine.

"We don't think that Orchard was at the Bunker Hill & Sullivan mill. We will show he was not there, and we will show that he was engaged in his favorite work of gambling, with the last of the mine.

"In Haywood, Moyer or Pettibone had seen Orchard was when the man came to Denver on a pass and on money issued by D. C. Scott, chief of detectives of the Florence & Cripple Creek railroad. "An oily, slimy fellow," Mr. Darrow termed the detective. "Cripple Creek had become the Waterloo of the Western Federation of Miners in Colorado," said Mr. Darrow. "The organization had fine halls, co-operative stores, libraries. It was flourishing and doing somethisg until it took a chance in going out to help the striking smelter men in Colorado City."

Plot of Railway Company.

show that he was engaged in his favorite work of gambling with the easiest mark he could find. We will show that mark he could find. We will show that he did not participate in most of the crimes of which he has boasted. I don't like to take any of the bloom off a peach like that, but, while we will show that he is no the murderer he boasts himself, we will compensate him by proving him to be the most monumental lier that over existed. that ever existed.

Agrees to Convince Hawley.

"Before our first witness leaves the stand, gentlemen of the jury, we will convince you; we will even convince Mr. Hawley himself that this man Orchard has lied about most of the essential points of his story. We will have from twenty-five to thirty witnesses who will take the stand and contradict this man absolutely. Some of these witnesses will be miners, but others will be eminently day's work in their lives." Here, as at other points in his speech,

Mr. Darrow's sarcasm caused wave after wave of laughter in the courtroom. Sometimes the bailiffs had to rap for order. Mr. Darrow briefly sketched the wanderings of Orchard as related by that witness himself. Orchard remained in the Coeur d'Alenes, he said, trying to regain possession of his one-sixteenth interest in the Hercules mine, until he was driven out by fear of arrest and confinement in the "bull pen."

Moyer will tell you this himself. "Then when Moyer went down to Telluride to visit the union there, he took this man who had won his confidence along to protect him from the thugs of the mine owners. No sooner, however, by the mine owners and thrown in the "bull pen," where he remained for many months, unable to take any part in any further conspiracies."

Orchard's Lost Fortune.

mined the miners. In 1902 he turned up in Cripple Creek. But from 1899 to 1902 this Cripple Creek. But from 1899 to 1892 this important personage in American history is all but lost to view. It is pretty certain, however, that during all that time he could be found in the back room of he could be found in the back room of a could be found in the back room of loss wanted the military back in the district and about the time that this desired blown up the word had gone some saloon gambling.

"If Orchard today held his one-sixteenth interest in the Hercules mine he
would be worth half a million dollars;
but I think he'd rather have what he's
got, because it is more valuable to the
newsparers."

cases out of 100 the men have not even | Haywood was but a plain, ordinary

Haywood Born in Utah.

Mr. Darrow went on to describe the three defendants in the Steunenberg murder in detail. He declared that Haywood was born in Utah—an American citizen whose forefathers came to America prior

"He is a plain, blunt, courageous fighting man," declared Mr. Darrow, "fighting the militia when necessary, fighting for the rights of the workingman; fighting for the protection of the widows and

"And Moyer. What of Moyer? A plain, "And Moyer. What of Moyer? A plain, blunt, honest man, whose ancestry were honest men. Moyer was the man who, at the head of the Western Federation of Miners, fought every conceivable fight, as men like him, born of such stock, will always fight. Moyer was a man whose sturdy honesty and quiet bravery won the confidence and held the respect of every one.

"And what about Pettibone. George Pettibone had never been a member of the Western Federation of Miners. He had mined and then started his store. A happy, careless, sunny man, with a laugh and a joke for everyone. There wasn't a man, woman or child on the street who was not his friend—not a lame dog or cat but could find a home in his woodshel. That was George Petitions.

Pettibone, the attorney said, was never connected intimately in any way with the Western Federation of Liners.

Orchard at Cripple Creek.

mr. Darrow then took up Orchard's life at Cripple Creek. He declared that Orchard burned a saloon and high graded at the very outset of his career. He went into the story of the alleged attempt to wreck the train of the Florence & Cripple Creek railroad, which had falsely been laid to the Western 'Federation of Miners, and declared the first time Haywood. Moyer or Pettibone had seen Orchard was when the man came to Denver on a pass and on money issued

Mr. Darrow said the attempt to wreck a train was a plot of the railway com-pany and the Mine Owners' association to wreck the union. He said the de-fense would show that Orchard was constantly in company with the detectives of the railroad and the mine owners.

"And while honest, hard-working min ers were denied the privilege of passing the military lines, this leper Orchard went in and out as he pleased. General orders were issued that Harry Orchard should go and come when he wanted to, said Mr. Darrow.
"We will show that Orchard came to

wince you; we will even convince Mr. when you have never done and story. We will have from enty-five to thirty witnesses who will be the stand and contradict this man obutely. Some of these witnesses will miners, but others will be eminently bectable people who have never done lay's work in their lives."

There he met Orchard, who ingratiated himself with Möyer, who trusted him. Orchard gained Moyer's confidence, but we will prove that Moyer never said the things to him that Orchard claims were barrow's sarcasm caused wave after said. Moyer will tell you this himself.

or not, but he was inclined to believe that he did not. The depot was a worthpot was blown up the word had gone out that something was coming off. I won't say that the mine owners or detectives wanted to kill anybody at this detective wanted to kill anybody at this depot. Killing people was too mussy for gof, because it is more valuable to the newspapers."

The Three Defendants.

Mr. Darrow said that when Orchard left the Coeur d'Alenes after the blowing up of the Bunker Hill & Sullivan mill.

depot, Khing people was too mussy for them. This depot was worthless and unused. If the powder could be touched off just before the train arrived and before the men got there, it wouldn't kill anybody, but it would be another attempt in the line of the Western Federation of

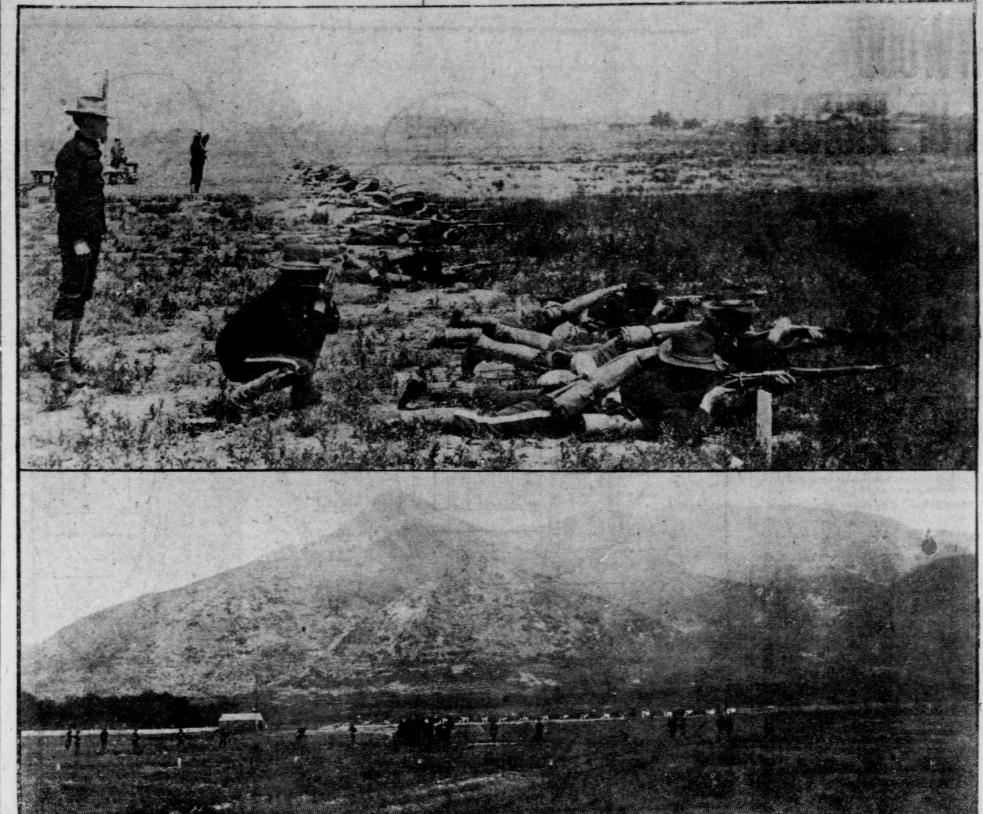
You don't need to worry about your clothes

Leave it to us and we will fit you with a Hart, Schaffner & Marx suit, a Knox hat and other things in keeping.

I Everything here is worth more.

Richard Tou Vadamise

ARMY TARGET PRACTICE AT DOUGLAS; REGIMENT INSPECTED BY GEN. THOMAS



The upper picture shows marksmen shooting at a distance of six hundred yards. The lower picture shows General Thomas' rig in the rear of Photos by Harry Shipler. the marksmen, and the white targets 200 yards distant.

Regular army target practice, which ton to take general supervision and Capusus is beating down. The experts will General Earl D. Thomas, who came yeshas been in progress on the ranges at Fort tain J. E. Woodward is in direct charge begin their firing at 6 o'clock this morning. Douglas for nearly a month past, will of the firing. Douglas for nearly a month past, will end Thursday. The scores and fecords will be completed by June 30. The practice includes all of the men at the post, approximately 760. The firing has been remarkably accurate, according to the testimony of the officers, but despite the records made, none of the men will enter been highly satisfactory from the beginthe territorial contests because the Twen- ning ty-ninth will leave for the Philippines on

Aug. 5. Some of the officers are already preparing for the voyage to the islands.

Miners to get rid of a lot of scabs. Following the explosion the town marshal sent for dogs to follow the train from where a wire led to a chair rung. The dogs circled around awhile and went to the cottage of Al B. Moore. They were taken away and started out again, and once more they came to Al B. Moore's house. Then other dogs were sent for, and they took the trail down toward Colorado Springs. The man in charge called the coverage of the coverage of the regular course of business. We will show that Simpkins drew as small an amount from the federation treasury as and once more they came to Al B. Moore's house. Then other dogs were sent for, and they took the trail down toward Colorado. Here Mr. Darrow explained the defense's up K. C. Sterling, chief detective of the Mine Owners' association, and told him to call off the dogs; that he knew who did it.

The man in charge called the defense's the dogs were on a sure scent. But Sterling told him to call off the dogs; that he knew who did it. he knew who did it.

Dogs Called Off.

"The dogs were called off," said Mr. Darrow, "and Orchard came back to Denver and went where he willed without being arrested or molested in any way." Describing the conditions which followed owed the explosion of the Independence depot, Mr. Darrow said that the secre-Blowing Up of Independence Depot. tary of the Mine Owners' association made "Then he wandered from place to place, seldom working," said Mr. Darrow. "He independence depot, Mr. Darrow said he was a sort of gentlemanly miner who did not know whether Orchard blew it up that now was the time to get rid of the organization. Just then a shot was fired. "We will show that K. C. Sterling fired the shot," said the attorney, "and that it was the signal for a general skirmish. Many shots were fired, and when the smoke cleared away two men lay dead. Two lawyers were found lying under a wagon. They were not hurt. "Do you mean they were lying down or making false statements under the wa-gon?" interrupted Attorney Hawley with good humor and amid laughter,

Militia at Cripple Creek.

"They weren't saying a word," replied Darrow, who then went into a detailed

Ethel Barrymore, the actress, was among the spectators at the trial during the afternoon session, as were also Gifford Pinchot, chief of the bureau of forestry at Washington, and Judge Dietrich of the federal court.

Mr. Darrow resuming his speech after. Mr. Darrow, resuming his speech after the recess, continued to narrate to the jury a story of the conditions prevailing in the Cripple Creek district during the period of martial law following the Inde-pendence denot explosion.

Arrest of Moyer at Ouray.

He told how Moyer had first been arrested at Ouray on a charge of desecrating the American lag and then was held in custody as a "natter of military necessity." Moyer also was charged with the murder of the two men killed in the riot at Independence—the riot which had occurred while he was in the hull near riot at Independence—the Flot Which had occurred while he was in the bull pen presided over by Bulkley Wells.

Mr. Darrow told of the deportation of the union miners from Cripple Creek and

The most interesting part of the practice is the skirmish firing, which is with full equipment of haversack, The practice at Fort Douglas is under tice the shapshooter fires from different ommand of Colonel Lockwood. Colonel distances, advancing on the double quick.

him from time to time. Pettibone had a big safe where he kept things for many persons. Orchard gave him the money to put away. He also gave him a Masonic charm and his membership card in the Western Federation of Miners and other Pettibone went out and helped Orchard to buy some camp things, fishng tackle, etc. Orchard went to Chey-nne with the two Nevilles. At Cheyenne he loafed about Pat Moran's saloon. I never asked Moran to go to Pettibo nd get money and Moran never went to 'After Orchard disappeared from Chey-

one he did not come back to Denver that ear so far as any persons connected with this case knows. But in the meantime it was claimed in Denver that the Western Federation of Miners had caused the death of Lyte Gregory. Our evidence will show that the federation had no griev-hetever against Gregory and knew nce whatever against Gregory, and knew nothing about him. Gregory had been deputy in the coal fields in which the organization headed by John Mitchel by John Mitchell alone was interested.

The Pettibone Letters.

"Orchard said when he left Denver that Darrow, who then went into a detailed story of the alleged depredations of the militia upon union property in the Cripple Creek district. All the union men were driven out; their stores and halls and libraries were broken into and looted. He said that the militia some time later heard that 100 of the deported men were or corchard's nine dreams thrown in to make He said that the militia some time later about the Bradley house was another of heard that 100 of the deported men were Orchard's pipe dreams thrown in to make heard that 100 of the deported men were gathered in a canyon and were prospecting. Under General Sherman Bell the soldiers were taken to the place, and the men were fired upon—one being killed and others injured. All were arrested and taken hack to the district and put in the bull pen.

A recess until 2 p. m. was then taken. Mr. Darrow having about half completed his speech.

Ethel Barrymore, the actress, was among the spectators at the trial during the spectators at the trial during the spectators are seen to make the min the greatest criminal of the age. We have a deposition from Mr. Bradley in which he says the house was wrecked by gas; that he smelled the gas and that when he lighted his cigar the explosion occurred. Why, if the bomb this man Orthogolar that when he lighted his cigar the explosion occurred. Why, if the bomb this man Orthogolar that when he lighted his cigar the explosion occurred. Why, if the bomb this man Orthogolar than the says the house was wrecked by gas; that he smelled the gas and that when he lighted his cigar the explosion occurred. Why, if the bomb this man Orthogolar than the says the house was wrecked by gas; that he smelled the gas and that when he lighted his cigar the explosion occurred. Why, if the bomb this man Orthogolar than the says the house was wrecked by gas; that he smelled the gas and that when he lighted his cigar the explosion occurred. Why, if the bomb this man Orthogolar than the says the house was wrecked by gas; that he smelled the gas and that when he lighted his cigar the explosion occurred. Why, if the bomb this man Orthogolar than the says the house was wrecked by gas; that he smelled the gas and that when he lighted his cigar the explosion occurred. Why, if the bomb this man Orthogolar than the says the house was wrecked by gas; that he says the house was wrecked by gas; that he says the house was wrecked by gas; that he says the house was wrecked by gas; that he says the house was wrecked by gas; that he says the house was wrecked by gas; that he says th tell you this without having any special interest in defending Harry Orchard. "In San Francisco when Orchard was there. D. C. Copley was delivering illustrated lectures on the Cripple Creek strike. Orchard went to the lecture one night and asked if he had heard of the explosion at Bradley's house. Copley said he had, and Orchard then said that

Bradley's kind—that it was Governor Steunenberg. 'If it had not have been for him,' said Orchard, 'I'd be a rich man teday, and I'll kill him if it is the last act of my life.'

are interchanged. Captain Woodward says that the result of the firing has been highly satisfactory from the beginthirteenth. and Lieutenant Point, twenthirteenth. and Lieutenant Point, tweneral inspection.

Today a reception will be given in General Thomas firing, Captain A!eral inspection. th. There will be contestants from post in the United States at the as will leave Salt Lake City this afterty-sixth. noon and will probably go to Fort Du chesne, in the eastern part of the state Fort Sheridan contest.

A striking spectacle at the fort last vening was the inspection of the troops. Thomas is accompanied by Lieutenant

Lockwood has designated Major Pendle- It is extremely trying work when a hot by the department commander, Brigadier John Gaujot.

safe, at least. I won't answer for their being sound.

"We expect to show that at this time Goddard, Gabbert and Peabody were more roundly abused than any men in Colorado. Goddard and Cabbert were accused of her the colorado. Goddard and Cabbert were accused of her the colorado. The colorado is a colorado of the colorado. Goddard and Cabbert were accused of her the colorado.

this jury all that he knows. I doubt very much if Pettibone will be put of the stand, as he was never an officer of Goddard and Gabbert were accused of being traiters to their party."

Mr. Darrow went at length into the political situation in Colorado at that time. He told how the members of the supreme it. I won't say for sure as to Pettibone He told how the members of the supreme court were pilloried and cartooned throughout Denver and even flags were hoisted at half mast.

It a won't say for safe as to Fettibone.

"As to the letter received by Orchard at Caldwell, we may not be able to show you except by argument whom it came from or what it was about, but we will

throughout Denver and even flags were hoisted at half mast.

"Like a hungry dog seeking a meal Orchard did at this time go to Pettibone's house and stayed there. Mrs. Pettibone had gone east and Pettibone told Orchard he might come there and stay. He did so because he could get cheap food and lodging. Now, don't mean that I think or the mine owners.

Yes, Orchard was in Haywood's house -also at this time and we can prove it, but he was not there often and he was ever in the bedroom."
Mr. Darrow quickly sketched the period *************************** Orchard's travels from Denver to Wal-

Orchard's Trip to Wallace. "If Orchard ever was here in Boise

he said. "We know nothing of it, or if he saw Steunenberg here we know nothing of it, but we know that he did go to Portland and to Seattle, and then he went

to Wallace,
"It was the first time he had been in
Wallace since he had been driven out by
the militia. While there he saw Ed.
Boyce and Hutton and August Paulson
and his old associates in the Hercules
mine. They had all been as poor as he,
but now they were rich and he was a mine. They had all been as pool as he, but now they were rich and he was a tramp. Orchard followed his profession as gambler and confidence man in Wallace. He visited many persons whom he had known in the old days—among them Paulson. Then one day he went down to see Daye Coates, former lieutenant to see Daye Colorado who will testify begovernor of Colorado. who will testify be-fore you. Coates is a man without a blem-ish on his name and a man has to be pretty careful to live that way. Coates was running a semi-weekly paper in Wal-lace. He had met Orchard in Denver and asked the fellow what he was doing in

Proposed Kidnaping. "Orchard said he had come to see

son among the others; that they were all rich and he thought he'd steal Paulson's child. Coates, taking the matter said he had and Orchard then said that Bradley had got what he deserved—that he had been in the Coeur d'Alenes and was partly responsible for the militia being called into the district.

Threats Made by Orchard.

"Orchard said there was another of Bradley's kind—that it was Governor Steunenberg. 'If it had not have been for him,' said Orchard, 'I'd be a rich man teday, and I'll kill him if it is the last act ever attempt such a thing I will have a special edition of my paper on the streets

that Orchard while a detective in the employ of the agency killed Steun-enberg because of the old grudge of which he had spoken so often. He killed which he had spoken so often. He killed him in the most cowardly way a murder could be committed. He was caught red-handed and turned over to McParland, the head of the western branch of the Pinkertons. After some manipulation he was persuaded that the best thing he could do would be to place the blame on some one else, which he did. He is getting the biggest price for this he ever got for a crime. He hopes to save his miserable neck." Arrest of the Prisoners.

distress

from

after meals or

onst ipated bowels? Resort

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Dyspepsia or

Constination.

suffer

Coming to the arrest of Haywood. Moyer and Pettibone, Darrow charged that it was all done by the Pinkertons on a perjured affidavit. He described the capture in Denver of Haywood, Moyer and Pettibone who, he said, were arrested, denied all the rights of citizens, kid-naped and brought to Bolse for trial.

maped and brought to Bolse for that, where in the jail they have been waiting for a year and five months for a jury to pass upon their case.

"When Orchard was arrested," continued Mr. Darrow, "it was announced that he was a member of the Western Federation of Miners. Haywood was told of it and at once wired to Silver City. of it and at once wired to Silver City instructing them to look after the case. We will show that it is a part of the policy of this organization to look after its members, no matter how obscure.
Miller came and saw Orchard a few
times, but finding that McParland was
also visiting him, Miller decided that McParland could do Orchard more good than Parland could do Orchard more good than he could—and perhaps he was right.

"Many names have been mentioned by Harry Orchard of persons connected with him—generally in Cripple Creek. The union was scattered to the four winds from there, but we will bring before you nearly all of those whose names he has given you. We will bring you Davis and Easterly and others, and before we are through with them you will say we have had enough.

Labor Unions on Trial.

"Moyer, Haywood and Pettibone never had any connection with this man in any had any connection with this man in any criminal act. We will demonstrate to you before we are through that this is not a murder case; that Bill Haywood is not on trial, but that the state of Colorado has sent these men to Idaho thinking conditions and people here are different and that the Mine Owners' association of Colorado might succeed in hanging, executing these men and killing the Western Federation of Miners through them. That labor organization and all labor organizations and not Bill Haywood are ganizations and not Bill Haywood are on trial here."

on trial here."

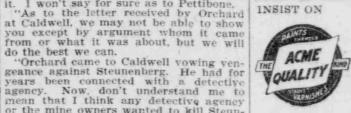
Mr. Darrow had spoken for three hours and twenty minutes. He was pretty well exhausted, and it was decided to postpone the taking of testimony until tomorrow morning. Mr. Darrow said he thought the defense would not require more than seven or eight days to conclude its case. Court adjourned until clude its case. C 9:30 a. m. tomorrow.

No more

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the union and had nothing to

nean that I think any detective agency r the mine owners wanted to kill Steun

enberg. I do not mean this, but I do

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We are curing more people than any two specialists in Salt Lake; our small fee enables us to cure for less money than many self-styled specialists who ask big fees for their services. We treat men

we cure Night Emissions, Lost Vigor, Varicocele, Hydrocele, Contracted Disorders, Contagious Blood Poison. Stricture and "Weakness" can be cured perfectly—so as to stay cured. We use different methods than the ordinary physician. Most of these are original with us and were devised for just such cases as the ordinary courses of treatment fail to reach.

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OUR SYSTEM OF TREATING is superior to any in the country, and our cures are the result of these methods. We never fall to effect a cure in any case we take. If you suffer from neglect, from want of money or mr. Darrow told of the deportation of the union miners from Cripple Creek and the mosting of notices that no man should he allowed to work in the district without first renouncing a lelegiance to the union account the Mine Owners' association.

The attorney dwelt for some time unon the Cripple Creek troubles, saving that most of the men who were driven out and who who scattered to the four quarters of the west found it necessary to change their names. Mr. Darrow then came to Crchard and the word to Pettibone for money and gave full instructions how it should be sent, in what the first without first renouncing allegiance to the union and they won't all be members of the stand. If you suffer from neglect, from want of money on suffer from neglect, from want of money on suffer from the strand. If you suffer from the strand, if you suffer from the strand, if you suffer from the strand. If you suffer from the strand, if you suffer from the strand, if you suffer from the strand, if you suffer from the strand. If you suffer from the strand, if you suffer from the strand, if you suffer from the strand. If you suffer from the strand, if you suffer from the strand, if you suffer from the strand, if you suffer from the strand,