

DARROW STATES CASE

Attorney for W. D. Hayward Outlines Theory of Defense

FLOR TO BREAK UP UNION

Conspiracy on Part of Mine Owners is Alleged.

REAL MOTIVE OF ORCHARD

Says He Killed Steunenberg Out of Desire for Vengeance.

NOW PLANS TO SAVE NECK

Hopes by Swearing Falsely Against Defendants at Instance of Pinkertons to Secure Pardon.

HOISE, June 24.—A great crowd gathered this morning in the room where W. D. Hayward is on trial, to hear the speech of Clarence S. Darrow, defining the purposes of the defense in confronting the evidence put in by the state.

The formalities of opening the session at an end, Mr. Darrow at once took up his place directly in front of the twelve solemnly-visaged 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 by his client.

Mr. Darrow reminded the jurors of the instructions given them by the court that 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.

"You have listened to the theory and the evidence of the state," Mr. Darrow proceeded. "Mr. Hawley has covered a wide ground in his opening for the state and we will have to meet him step by step. The defendant here is charged nominally with the murder of former Governor Steunenberg. There was a great deal of evidence introduced. But the state has told you the case rests upon a giant conspiracy of which the defendant, among others, is a part.

"The state's attorney has told you the murder of Governor Steunenberg was but an incident. They have told you the Western Federation of Miners has a great deal of money. It was unfortunate, but most people have to employ lawyers at some time or another. This organization was really born in 1892-1893, right down in a cell beneath this court room, where Ed Hoise, the first president, was a prisoner and where now the three most famous lawyers in the state are waiting 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 to them; he advised them to elect him as their president. The Western Federation of Miners and the man who formed the organization thought it was an innocent undertaking. Mr. Hawley was their first attorney and continued as their attorney for a long time. If there was anything criminal in this, it was done by Mr. Hawley. The Western Federation of Miners is an industrial, not a murderous organization."

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SUMMARY OF THE BEE

Tuesday, June 25, 1907.

Table with columns for 1907 and JUNE, showing days of the week and corresponding numbers.

WEATHER. NEBRASKA—Partly cloudy and cool. Yesterday: High 64, low 44.

FORECAST. Tomorrow: Partly cloudy and cool. High 64, low 44.

DOMESTIC. Clarence S. Darrow makes opening statement for the defense in Hayward trial, giving a scathing arraignment of the state's evidence.

Three tornadoes visit Medicine Lodge, Kan., on one night, killing one and injuring many. Tornado visits Kalamazoo, killing one.

San Francisco telegraph companies refuse to recognize the operators as a body and insist that they are handling messages with little trouble.

Louis Bliss will have his trial next in San Francisco.

King Charles of Portugal refuses to adopt repressive acts advised by Premier France with respect to rioters.

Many millions to be distributed in dividends by big corporations in July, the record exceeding any July in history.

James Van Carter, supposed to have been killed in Wyoming, reported safe on a ranch in Utah.

Supreme court orders William Campion, twice pardoned by Governor Mickey, sent to jail until he pays fine of \$2,000.

Trial of "Cotton Leak" Holmes has resumed at Washington.

Former Judge W. H. Loring of Houston, Va., is being tried on charge of murder, his defense being the "unwritten law."

Mutinous troops of the French regiment that sympathized with the wine growers have been ordered to the Alps.

Premier Campbell-Bannerman proposed resolution limiting the power of the House of Lords with respect to legislation.

Dan R. Hanna, recently divorced, was married at Cleveland.

Former Judge Franklin Ferris has been appointed to take testimony in the Standard Oil case at St. Paul.

Japanese proprietors of the Horoshos restaurant in San Francisco will sue the city for damages caused during the riot.

Auditors of railroads tell commissioners they cannot file reports as demanded by the new law, but will do so far as able with the information in their possession.

Secretary of State Jusik refused to sign any universal arbitrage unless vouchers are filed. Referees Lindsay commence taking of testimony in case in which United Pacific seeks to know how Board of Assessment arrived at the valuation of that company. Pardon issued to William Campion of Seward not good.

Wilson of Table Rock appointed inspector of Board of Health.

As result of St. Joseph Live Stock exchange's adoption of the post-mortem inspection rule large consignments of cattle from territory heretofore relatively held by St. Joseph come to South Omaha.

Between the dog muzzle and dollar gas Mayor Dahlman finds himself hard pressed to exercise his initiative and referendum for the latter.

Young Men's Christian association to give first regular run in the campaign for \$50,000 to wipe out balance of debt on its new building.

Postoffice officials are engaged in preparing for the general advance of salaries to all the clerks and letter carriers on July 1 under new regulation.

Body of Tom Heron, the swimmer drowned in Cut-off lake Sunday, is recovered.

City officials have strenuous time trying to arrive at common ground in framing the ordinance to regulate milk dealers.

Society—Season when hostess makes complaint at failure or irregularity of guests in responding to invitations.

Contract for a station for the independent telephone company at Twenty-fourth and Cumis streets is let.

HEAVY LOSS IN TORNADES

Several Killed and Many Injured at Medicine Lodge.

THREE STORMS IN SAME NIGHT

Tornadoes, Accompanied by Hail, Do Heavy Damage—One Man and Three Horses Killed at Kalamazoo.

MEDICINE LODGE, Kan., June 24.—Three distinct tornadoes struck Medicine Lodge late last night, destroying twenty-five houses in the northern part of the town. Six persons were injured seriously and one is missing. As far as known no lives were lost.

Several persons are reported injured and much damage done to property in the path of the tornadoes in the surrounding country. The missing at Medicine Lodge: Mrs. Bell, an aged woman.

Injured at Medicine Lodge: Mrs. May L. Lyle, internally; may die. Mrs. R. McCoy, ribs broken, skull injured. Mrs. Mary Griffith, internally. Mrs. Morris, arm broken. Mr. and Mrs. J. Stry, bruised.

The first tornado struck Medicine Lodge, which has a population of about 1,500 persons, shortly after 7 o'clock Sunday evening, destroying telephone and telegraph wires, which shut off communication with the outside and causing other damage.

Later two other tornadoes, one completing the damage done by the first. The third storm appeared shortly before midnight. All three came from the north-northwest and were accompanied by a terrific fall of rain and hail, which damaged crops.

The greater part of the damage sustained in Medicine Lodge was in the northern part of the town. The residence of United States Senator Chester I. Long was slightly damaged. The Long family escaped uninjured. The residence of Ralph Faxon, senator Long's secretary, was demolished, but the family escaped. Other property damaged includes the gristmill and the Santa Fe roundhouse.

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

One Death at Kalamazoo. KALAMAZOO, Mich., June 24.—Three violent tornadoes and a man were killed and a woman, by a tornado, which struck Recreation park this morning at 2:30 o'clock. William Wiedmayer, aged 39 years, was found dead two hours after the storm had passed. He was killed by coming in contact with a telephone wire. The tornado came up without an instant's warning and lifted a long row of stalls, carrying them over the fence.

EVANSTON, Wyo., June 24.—(Special Telegram.)—Regarding the Fort Bridger mystery, the following telegram has been received by Sheriff Jones of this city: LYNN, Utah, June 23.—James Van Carter is alive and working on a ranch five miles from here. (Signed) E. R. Roberts.

Roberts is a brother of Mrs. Carter, the boy's mother. Young Carter has been missing since May 26, and was believed to have been murdered. His horse, with each leg found the morning after he was missing. Hundreds of men have been searching and the county officers have been to great trouble and expense on his account. People here are at a loss to account for his strange conduct. It is now thought that he rode the horse to Carter Station and then turned the horse back to the ranch and then took the train for Utah.

WASHINGTON, June 24.—According to private advices received here today the proprietor of the Horsho restaurant, which was attacked during the recent anti-Japanese riots in San Francisco will tomorrow enter a suit against the city of California against the city of San Francisco to recover damages done the restaurant property. District Attorney Devlin, a telegram from San Francisco says, will represent the Japanese plaintiff in the action. It was stated at the Department of Justice today that some time ago Mr. Devlin was instructed to offer his services in case suits were entered.

DAN R. HANNA REMARRIES. Justice of Peace Links Him to Divorced Wife of Hotel Clerk at Cleveland.

CLEVELAND, O., June 24.—Dan R. Hanna, son of the late Senator M. A. Hanna, was this afternoon married to Miss Mary Stuart, at the residence of the bride's mother in this city. The ceremony was performed by a justice of the peace. The only witnesses were the bride's mother and one or two other persons. Mr. Hanna has been married twice before, a divorce having been obtained by each of his former wives. The bride is the divorced wife of Frank Skelly, formerly a hotel clerk here. She had resumed her maiden name.

FERRIS TO TAKE TESTIMONY. Appointed to Preside at Hearing in St. Paul Standard Oil Case.

ST. PAUL, June 24.—Judges Sanborn, Vandewater and Adams in the United States circuit court today appointed former Judge Franklin Ferris of St. Louis, examiner to take testimony in the case of the United States against the Standard Oil company. The taking of testimony will begin July 15.

Bannin Succeeds Egan. OYSTER BAY, L. I., June 24.—President Roosevelt today appointed Michael E. Bannin, a business man of New York city, a member of the Board of Indian Commissioners to succeed Dr. Maurice F. Egan who resigned to accept a diplomatic post. No emolument is attached. The president today appointed the following postmasters: Howard L. Rann, Manchester, Ia.; William L. Cronk, Townsend, Mont.; and Henry Jones, Huba, Tex.

Yale Alumni Meet. NEW HAVEN, Conn., June 24.—At a meeting of the alumni advisory board of Yale, E. N. Judson of St. Louis, was elected a member of the board of trustees. Matters were fully discussed and reports to the corporations were agreed upon, and approved.

MURDER TRIAL AT BRUSSELS

Carlos Waddington Goes Before Court on Charge of Killing Senator Balmaceda.

BRUSSELS, June 24.—The trial of Carlos Waddington, 16-year-old son of Senator Luis Waddington, former charge d'affaires of Chili at Brussels, on the charge of murdering Senator Balmaceda, secretary of the Chilean legation, February 24 last, opened this morning. The court was crowded with society people and diplomats.

Balmaceda was engaged to be married to the daughter of Senator Waddington. The murder was committed on the evening of the official engagement dinner. A few days before the tragedy Balmaceda requested the Waddingtons to postpone the wedding ceremony, and on the morning of February 24 he called upon Mrs. Waddington and announced his declaration to withdraw from the marriage altogether. He admitted, it is charged, that he had behaved improperly towards Miss Waddington, but accused the young woman of having misbehaved before he met her. Later when young Carlos Waddington found his mother prostrated as a result of the interview with Balmaceda he drove to the home of the latter, who was his personal friend, and after a quarrel shot and killed her.

The contention of the Balmaceda family is that the Waddingtons had tried to force the marriage upon the young secretary of legation and that upon his refusal to marry they resolved to get rid of him. The Waddingtons submit as justification for Carlos' act that Balmaceda had refused to redress the wrong he had done Miss Waddington.

MORE AGITATION IN JAPAN. Politicians Still Using 'Price Incident' as Weapon to Attack Ministry.

TOKIO, June 24.—Public excitement over the American question has almost passed away, but the agitation is still going on. It is mostly the work of politicians of the opposition who are employing this question as a weapon of attack upon the ministry.

The progressives and a coterie of politicians called the Daido club will likely join hands in a combination attack on the ministry over the American question, their principal aim being to overthrow the cabinet and to elect a new cabinet.

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OMAHA GETS ST. JOE STOCK

Receives Heavy Consignments as Result of Latter's Action.

PACKERS UNIT ON POST-MORTEM

No Break in Either Side to the Controversy at Yards or Houses in South Omaha is Noted.

The only apparent change in the business of the South Omaha packers Monday in relation to the post-mortem inspection fight was the receipt of heavy consignments of cattle from territory heretofore exclusively St. Joseph's. This was attributed wholly and directly to the action of the Live Stock exchange at St. Joe in breaking away from exchanges in this and other cities and adopting the post-mortem inspection for dairy cows.

General Manager Murphy made good his declaration of unity to the fact that the Cudahy Packing company has not broken the agreement of the packers and decided to ignore the post-mortem rule. His buyers are continuing to operate under that rule. In this respect no change whatever was noted Monday at South Omaha.

Early trains Monday morning and especially that of the Burlington, contained many consignments of stock from territory heretofore dominated by St. Joseph. The public is fully alive to the situation, say the commission men, and will not patronize any packing center which will compromise on this issue. Hence the shipments from the southeastern section of the state and southwestern Iowa, making a striking novelty in the South Omaha market. It is anticipated still larger consignments will be on hand with the opening of another day.

All sides at the exchange say they will not let the battle go on until they see the present time is as opportune as any for making the trial.

Monday Stands Pat. "So far as the Cudahy Packing company at South Omaha is concerned it will buy its cattle and other cattle Monday under the same regulations as it bought Saturday and it has not there or elsewhere, so far as we are authorized, made any change in its position on this matter of post-mortem inspection of dairy cows. We have not broken away from the other packers. We stand by the agreement."

This statement was made to The Bee tonight by George Murphy, general manager of the Cudahy Packing company at South Omaha with reference to the story from Kansas City to the effect that that company would buy cattle at the Kawville yards Monday morning subject to the old conditions, regardless of the post-mortem inspection