

THE TRIAL AT BOISE

Discrediting the Story of Crime as Told by Harry Orchard Goes on.

A NEW THEORY ADVANCED

They Attempt to Show That the Explosion in the Vindicator Mine Was an Accident—More of Orchard's Threats.

Boise, Idaho, June 27.—William F. Davis of Goldfield, Nev., one of the most important witnesses for the defense of Wm. D. Haywood, accused of the murder of Frank Steunenberg was called to the stand at noon Wednesday and his cross-examination had not been completed when court adjourned. Harry Orchard testified that Davis led and commanded the mob that destroyed the Bunker Hill and Sullivan mill in 1899, inspired, as the agent of Haywood and Moyer, the Vindicator explosion and the train wrecking plot at Cripple Creek, and was an accomplice in the Independence station crime.

On direct examination by Clarence Darrow he went over the story of his working life, including the pathetic story of the death of his wife and babe at Cripple Creek, at which he wept, and made positive denial of every statement of Orchard that involved him or his assistants in any form of crime. He denied that he was even a member of the union when the Bunker Hill and Sullivan mine was blown up and at the conclusion of his general story swore that at Cripple Creek during the strike Orchard told him of the Hercules mine affair and threatened to kill Steunenberg.

The cross-examination of Davis by Senator Borah was severe and searching and was chiefly devoted as far as it proceeded with the Bunker Hill and Sullivan affair and the circumstances under which Orchard made the threat against Steunenberg. Davis asserted that he remained at Gem the day the Bunker Hill mill was blown up and while he said he saw the train in charge of the masked mob arrive at and depart from Gem he could not name any one on the train except the engineer Hutton. He said there was no excitement and he made no inquiry about the mob. He said that he remained in hiding after the mill was blown up because he did not want to be deported or thrown into the "bull pen" and that he changed his name when he departed for Butte shortly after because he feared the mine owners' blacklist made up from a petition that the employes of the Bunker Hill had sent to Governor McConnell protesting against the unsafety of the mine. Borah showed that the petition had been presented six years before and that Butte was a federation camp where the blacklist was ineffective. Passing to the threat Orchard made against Steunenberg the witness was unable to recall what anyone else had said on that occasion except the words of Orchard. Davis returns to the stand Thursday morning.

Boise, Id., June 28.—A ruling made Thursday by Judge Wood, while Ed. Boyce, for years the leader of the Western Federation of Miners, and now a wealthy mine owner of the Coeur d'Alenes, was testifying in behalf of William D. Haywood, may materially limit the showing of the defense as to the existence of the counter-conspiracy against Haywood and his associates which it alleges.

James H. Hawley, for the state, objected to a general question as to the policy and practice of mine owners throughout the west in blacklisting union miners, and in the argument that followed, Clarence Darrow for the defense claimed the same latitude in proving counter-conspiracy that the state enjoined in showing a conspiracy.

Mr. Hawley contended that the state had directly shown the existence of a conspiracy by Harry Orchard and by so doing had laid the foundation for and made the connection of all the evidence subsequently offered on the subject. He said that the defense was trying to show a counter-conspiracy by proving various isolated instances and certain general conditions none of which were connected with the case and for none of which a proper foundation had been laid.

In ruling the court accepted in part the contention of the prosecution and limited the proof of the defense along this line to events in Colorado and Coeur d'Alenes connected with the case as now established.

Ed. Boyce was the principal witness of the day and his testimony was chiefly devoted to the history, purposes and work of the Western Federation of Miners. He denied the existence of an "inner circle" or that there had ever been a conspiracy in the organization to do an illegal act. The chief importance of Boyce's cross-

examination was the production of a speech by him at the convention of the federation held at Salt Lake City in 1898, in which he said that every union should have a rifle club, every member a rifle, so that the federation could march 25,000 strong in the ranks of labor.

Boise, Id., June 29.—The attorneys for William D. Haywood continue to center their efforts on the discrediting of Harry Orchard and the establishment of their claim that Orchard killed Frank Steunenberg in revenge for the loss of his interest in the Hercules mine. Friday they directly attacked the Vindicator explosion with the testimony of a witness that made it appear accidental than criminal. Thomas Wood, a non-unionist, who entered the Vindicator mine as a timberman after the strike began swore that the night before the explosion he placed a box containing 25 pounds of giant powder at the shaft of the eighth level. He saw the powder the next morning shortly after 10 o'clock and a few minutes later Superintendent McCormick and Foreman Beck came to the eighth level. They remained but a short time and left to go to the sixth level where they were killed. Wood swore that when he reached the shaft 20 minutes later the powder was gone, and it is a reasonable inference that McCormick and Beck took it with them.

Wood testified that he had seen a revolver in Beck's pocket, that the fragments of only one revolver were found in the sixth level and that the bodies of McCormick and Beck were blown apart indicating that the explosion had occurred between them. Orchard said that he fixed a revolver with a wire attachment so that when the safety bar was raised it would send a bullet in the giant powder he had placed. One witness for the state has sworn that he later found a wire attached to the safety bar but Wood who was among the first to reach the sixth level after the explosion, said that he carefully examined the safety bar and found nothing attached to it. Wood gave his testimony in a clear and forceful manner and told a thrilling story of the climb to safety of the men cut off by the explosion below the sixth level.

William Easterly, who concluded his testimony Friday morning, and D. C. Copley, who was called Friday afternoon, both swore that they heard Orchard tell of the loss of the Hercules mine and threatened to kill Steunenberg for it. On cross-examination the state scored them both and particularly Easterly, who received letters and one telephone message from Orchard on the eve of the killing of Steunenberg, for remaining quiet when they knew a crime might be committed. Easterly contended that he did not know Steunenberg lived at Caldwell, and explained that although he knew "Thomas Hogan" was Harry Orchard he took no steps immediately after the crime except to consult the counsel for the federation because he was not an informer, and Copley asserted that he did not take Orchard seriously when they met in San Francisco and he told him of the Bradley crime.

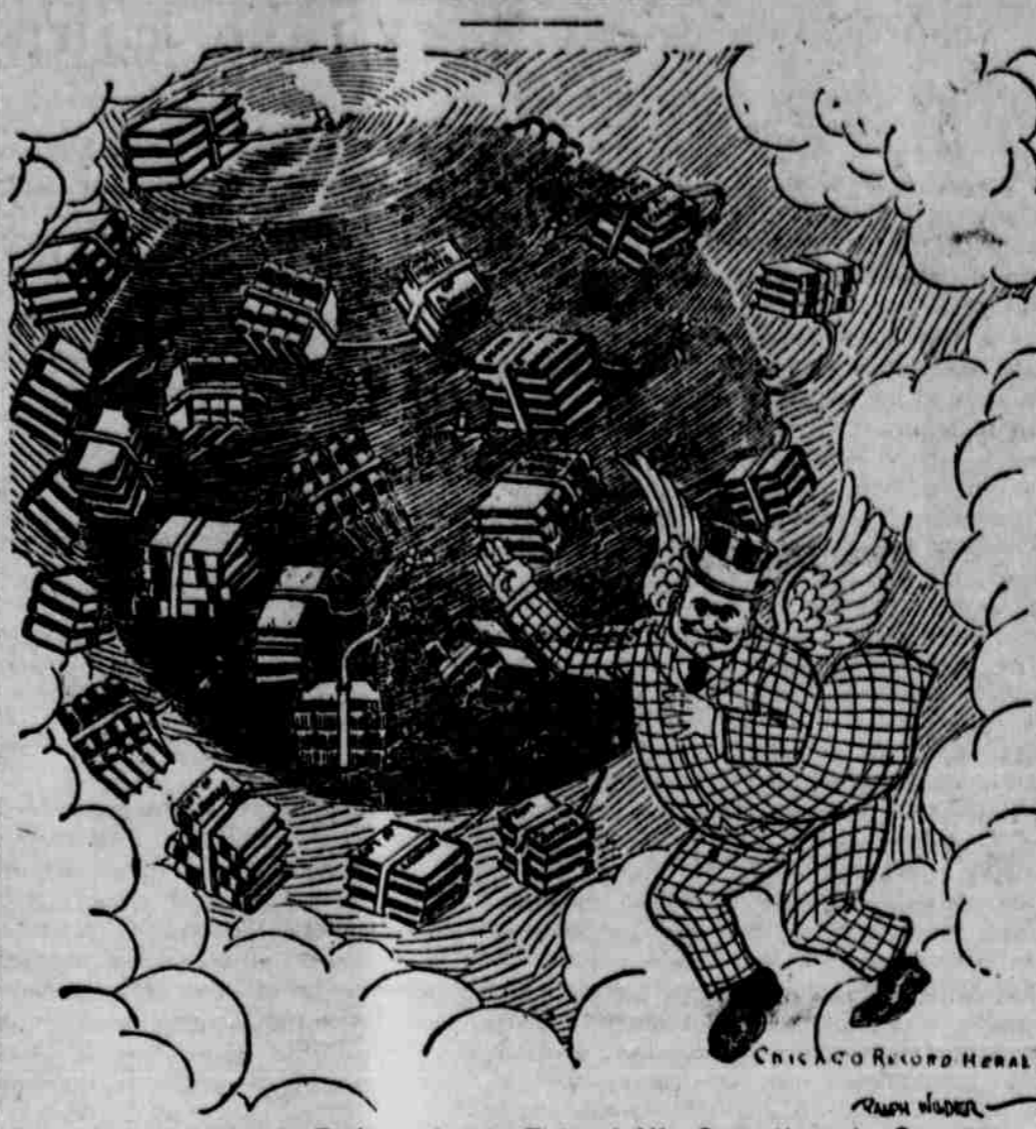
There was a further showing as to the work of the bloodhounds at Independence, which the defense sent first to the house of a deputy sheriff and then down the road that Orchard took on his flight to Denver and on to Wyoming, and denials and re-denials from Easterly and Copley of any form of misconduct on the part of the members of the Western Federation of Miners.

Health of New Yorkers Menaced.
New York, June 29.—Believing that the health of the city was menaced by the strike of drivers of garbage wagons, Mayor McClellan late Friday went over the head of Commissioner of Street Cleaning Craven and placed the responsibility for the collection of garbage with the health department. Friday night that department made a strong effort to re-establish sanitary conditions. A strike of drivers for the American Ice company also went into effect and with garbage on the sidewalks and no ice in many refrigerators some New York residents passed an unpleasant summer day.

Disagreement in Standard Case.
Findlay, Ohio, June 29.—The jury in the case of the State of Ohio against the Standard Oil company, charged with violating the anti-trust laws, Friday morning reported to Judge Duncan that it had been found impossible to agree upon a verdict. The court thereupon ordered the jury discharged. According to rumor, the jury when it first retired, stood 6 for conviction and 6 for acquittal. Subsequently it is said, the jury stood 9 to 4 for acquittal and when the disagreement report was brought in the vote stood 7 to 5. The case was given to the jury on Wednesday last.

President Roosevelt has signed the treaty regulating the custom matter of Santo Domingo.

VIEW OF THE EARTH WHEN MR. CARNEGIE GETS THROUGH GIVING AWAY LIBRARIES.



It is said he is endeavoring to extend his operations to Germany.

TERRITORY STORMSWEEP

The Oil Region Around Tulsa Again Visited.

Three Persons Killed—Hundreds of Derricks Blown Down—Property Loss is \$1,000,000.

Tulsa, I.T.—Three people are known to have been killed, several are reported injured and property lost to the amount of at least \$1,000,000 by a tornado which passed over this section Wednesday morning. The dead are Frank Roper, and two unknown men, all oil-field workmen, killed by falling rigs. The storm came from the north and was an old-fashioned twister. It traveled due south until it struck a hill just north of Tulsa, when it struck off southeast, through West Tulsa and Red Fork, from Red Fork shooting south through the heart of the Glenn field.

The loss of the lives occurred in the Glenn field where also was the greatest property damage. Mammoth steel tanks were blown down, one hundred derricks were demolished, rigs and tanks were destroyed by lightning. The camp or the Gulf Pipe Line company was wiped off the map and the village of Klefer, adjoining the Glenn oil field suffered great destruction. Red Fork and the Red Fork Oil field and Jenks, at the north limit of the Glenn oil field, were scenes of wreck and ruin.

The storm left a trail of destruction for a distance of 60 miles north of Tulsa on its southward journey. Bartlesville reports large property loss and several people injured. Several houses were demolished in Collinsville. The Bird Creek and Skiatuck oil fields were riddled.

Over 150 derricks are reported down in the Glenn pool and it is said all the oil derricks in the Osage nation have been swept away. Fifty-four derricks are reported down at Turley. All maize houses were overturned and brick buildings demolished.

Remains a Mystery.
Norfolk, Va.—United States local inspectors of steam vessels Tapley and Bray Wednesday filed their official report on the investigation into the sinking of the steam launch of the battleship Minnesota the night of June 10 when six midshipmen and five seamen lost their lives. They say: "We have exhausted every avenue without results and are unable to determine the direct cause of the casualty."

Box of Dynamite Explodes.
Houston, Va.—The premature explosion of a box of dynamite near Tola, Charlotte county, Tuesday afternoon killed eight persons and injured six others. For some distance around the scene, heads, arms and legs were picked up. One Italian was blown so far into the embankment that his body had to be dug out with picks.

Missouri Officials Enjoined.
St. Louis, Mo.—A temporary restraining order was granted by Circuit Judge Taylor Wednesday prohibiting the state board of railroad commissioners from enforcing the provisions of the Avery law, so far as it applies to the trade inspection, weighing and grading of grain outside of public elevators.

INJUNCTION DISSOLVED.

Oklahoma Supreme Court Set Aside Judge Pancoast's Restraining Order—Election May Be Held.

Guthrie, Ok.—The Oklahoma supreme court Tuesday afternoon dissolved the injunction issued by Judge Pancoast restraining the constitutional convention from submitting to a vote of the people the constitution drawn for the proposed new state of Oklahoma. The convention doubtless will now be called together immediately and a new date set for the election set. The court also held that it had no jurisdiction over the formation of new counties as provided in the constitution. The division on this phase was 5 to 2. The finding of the court is a complete victory for the convention, which was prevented by the injunction issued by District Judge Pancoast from submitting the constitution for the proposed state of Oklahoma to the voters on August 6. If the plans of the Democratic leaders are carried out the convention will be reassembled immediately and a new date for the election named.

Turned It Over to Smith.

Oyster Bay, N. Y.—June 27.—The telegram asking President Roosevelt to investigate all alleged violations of the anti-trust law by the telegraph companies, received Tuesday from the Washington Central Labor union, was Wednesday transmitted to Herbert Knox Smith, chief of the bureau of corporations of the department of commerce and labor. No instructions were given Mr. Smith. This telegram is the only one the President has received on the subject.

For Shooting at a Judge \$100.

St. Louis, Mo.—In the case of Rosa and Clara Well, charged jointly with assaulting to kill Judge Jesse A. McDonald of the circuit court, as he sat on the bench, January 2, a jury in criminal court Friday fined Rosa Well \$100 and acquitted her sister. The girls admitted firing the shot at the judge. They were said to have been dissatisfied with a decision of Judge McDonald regarding the division of their father's estate.

No Permits for the Japs.

San Francisco, Calif.—The board of police commissioners Thursday denied the application of five Japanese for the privilege of renewing their permits to keep intelligence offices in this city and refused two Japanese applicants who desired to obtain new permits for the same business, on the ground that the applicants were not citizens of the United States.

Schmitz Again Arraigned.

San Francisco, Calif.—Before Judge Dunne Friday Mayor Schmitz was arraigned on two indictments, one charging him with accepting a bribe of \$3,250 from the officials of the San Francisco Gas and Electric company, the other charging him with accepting a bribe of \$5,000 from the United railroads. Judge Dunne set July 3 as the date on which the mayor will answer these indictments.

Americans Took Prizes in France.

Nogent le Rotrou, France.—At the show of the Percheron society of France, all first prizes, except one, in the stallion class, were awarded to McLaughlin brothers, Americans.

MR. TAFT DENIES RUMORS

The Secretary Says Panama Canal Affairs Are All Right

Admits, However, That Less Work is Being Accomplished and That Changes Are Contemplated.

Washington, D. C.—"It is a tissue of falsehood," said Secretary Taft, Friday, when his attention was called to the reports of dissatisfaction on the part of the administration of the management of affairs under the isthmian canal commission and of the intention of the officers engaged in that work to relinquish it and return to the United States.

Continuing the secretary said: "The work appears to be progressing finely. It is true that in a recent month the excavations made under Col. Goethals were 150,000 cubic yards less than under his predecessor but this was due to a strike and to other causes beyond his control. Col. Goethals will have all the help in the way of army officers he may need. His assistants I am leaving to his own selection."

"What about David W. Ross, the retiring general disbursing agent?" was asked the secretary.

"Mr. Ross' resignation was not asked for," the secretary replied. "His work has been in every way satisfactory and he was one of the most efficient officers we ever had. Because of his private business Mr. Ross wanted to leave the commission June 1, but I wanted him to stay at least until July 15."

Secretary Taft declared that the resignation of Engineer Ripley was voluntary. "He and Col. Goethals did not agree as to the character of some works, and Mr. Ripley retired," said the secretary. "He had been designing some locks. Nor has General Manager Bird of the Panama railroad resigned as has been reported."

"If Jackson Smith, the commissioner who has charge of all the labor on the isthmus, has resigned," continued the secretary, "I don't know it. There is no truth so far as I know, in the reports of his resignation."

"As to Mr. Bishop, the secretary of the commission who is now on duty at Washington I am not prepared to say what his future assignments will be. That will be determined next week."

Suits Against Railroads.

Washington, D. C.—By direction of Attorney General Bonaparte United States attorneys in various districts throughout the country will institute at the earliest practicable dates, suits against a large number of railroads to recover penalties for violations of the safety appliance law. Information upon which the suits will be based was reported to the interstate commerce commission by its safety appliance inspectors.

Judge Attempts Suicide.

San Francisco, Calif.—Overcome with grief and humiliation at the action of the bar association in recommending that he be impeached for gross intemperance if he did not immediately resign Superior Judge K. C. Hebbard tried to take his own life Tuesday in his chambers at the temple Israel. He was saved from death after he had pressed the barrel of a revolver against his temple by a reporter, who took the weapon away.

A Soldier Shot in Cuba.

Havana, Cuba.—During a clash with police at Holguin, Santiago, Wednesday night, resulting from the alleged refusal of four American soldiers of the Eleventh infantry to pay for drinks, Corporal P. J. Green was shot and mortally wounded and his companions were arrested.

Deported the Mutineers.

Villafraanche, France.—Troops and gendarmes lining the route prevented a popular demonstration as 620 men of the mutinous 17th infantry marched Wednesday to the wharf where they embarked on cruisers for Sfax, Tunis. So soon as the men were on board the cruisers headed out to sea.

In Conference With President.

Oyster Bay, N. Y.—Secretary Taft spent four hours with President Roosevelt Tuesday and said as he left Oyster Bay to attend the Yale commencement that a number of important matters relative to Cuba, Panama and the Philippines had been concluded.

Have Grievances There, Also.

New York.—The executive committee of the Commercial Telegraphers' union Tuesday offered to submit their grievances to the Postal Telegraph company. Complaint was also made that the company had not fulfilled its agreements with its men in Chicago.