TAFT'S STRONG DENIAL.

NO TROUBLE AT ISTHMUS.

Secretary Says Administration and Officers Are Satisfied.

Washington, June 28.—"It is a tissue of falsehood," said Secretary Taft to-day, when his attention was called to the reports of dissatisfaction on the part of the administration with 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. The Secretary was very emphatic in his declaration that he had not received a single communication from Lieutenant Colonel Goethals showing in any way that he was dissatisfied or desired to end his connection with the work. "No immediate change is contemplated in the administration of affairs on the isthmus," continued the Secretary, "and there has not been a single kick of any sort. There is no truth in the stories of the army officers asking for leaves of absence to return to the United States."

Continuing, the Secretary said:

"The work there appears to be progressing finely. It is true that in a recent month the excavations made under Colonel 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. Colonel Goethals will have all the help in the way of army officers he may need with a view to the thoroughness of the work he has in hand. His assistants I am leaving to his own selection, nominating those whom I think will be able assistants and leaving it to him to confirm them."

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

"Mr. Ross's resignation was not asked for," he 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 on 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 Colonel Goethals did not agree as to character of some works under way on the isthmus, and Mr. Ripley retired," said the Secretary. "He had been engaged in the designing of some locks. Nor has General Manager Bierd, of the Panama Railroad, resigned, as has been reported. Mr. Bierd is one of the most useful men we have on the isthmus, being at the head of all the transportation work we have there.

"If Jackson Smith, the commissioner who has charge of all the labor on the isthmus, has resigned," continued the Secretary. "I do not know it. There is no truth, as far as I know, in the reports of his resignation, and I think I would know it."

"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," said the Secretary. "That will be determined next week."

Secretary Taft added that none of the three army officers—Lieutenant Colonel Goethals and Majors Gaillard and Sibert—had recently applied for leave of absence. When he was on the isthmus some time ago, the Secretary explained, Colonel Goethals had spoken to him about his leave of absence, but there had been no recent communication on the subject. He continued:

"The President promised the army officers when they took up their work on the isthmus that they should have ample leave of absence, no less than four months, in fact, every year, so arranging their affairs that one might readily take up the work when another was absent. I don't know where it all comes from. They have gathered a lot of circumstances having no connection with one another, and have put the whole thing together as an evidence that dissatisfaction exists. I reiterate that the statements are not true."

The question of construction by private contract was considered very fully by the President and the Secretary last winter, but it was decided at that time not to accept any of the bids which had been submitted for doing the work in that way. Colonel Goethals is under instructions from the department to submit his views on this subject, with a view to their presentation at the coming session of Congress. His recommendations and views are to cover the question whether it is expedient or advisable to undertake the construction of the whole or any part of the work by contract.

Secretary Taft said that the method now in vogue of settling labor disputes on the isthmus, which contemplates the reference of these matters to certain persons, had worked satisfactorily. His plan of reorganizing the clerical force of the commission contemplates the concentration of much of the work on the isthmus, as the greater amount of the money is expended there. The office of purchasing agent will remain in Washington, under the direction of Major H. F. Hodges, of the Corps of Engineers, who, with the large number of men in this corps of the army, will be able to handle the purchase of supplies readily and without great cost to the government. There will be a chief disbursing officer on the isthmus and a deputy disbursing officer in Washington, whose work will be that of examining such accounts as originate in the United States. There will be a chief auditor on the isthmus and a deputy auditor in Washington. This scheme will prevent the duplication and triplication of many accounts and papers. Its practical effect will be to reduce materially the number of clerical employes at the isthmian canal commission's office here. The proposed changes have been submitted to Colonel Goethals, and when approved by him will be made public. Secretary Taft to-day said the retirement of Auditor Benson was entirely voluntary, and that a civilian would be appointed in his place.

WHY CASSATT RAIL IS COSTLY.

Manufacturers Must Cut 25 Per Cent from Top of Each Ingot.

[By Telegraph to The Tribune.]

Pittsburg, June 28.—Pittsburg steelmakers told to-day for the first time what caused the United States Steel Corporation to demand $5 a ton advance for the manufacture of the proposed Cassatt rail.

Under the specifications furnished by the Pennsylvania railroad for the Cassatt rail the steelmakers were compelled to cut off 25 per cent from the top of each ingot from which the rail was made. President Cassatt always declared that air holes formed at the top of every ingot, and that the rails were weakened by their presence.

Heretofore the steel men have cut off about 2 per cent of each ingot, but the specifications for the Cassatt rail call for 25 per cent.

PUBLIC TO PROBE U. P. ACCIDENTS.

[By Telegraph to The Tribune.]

Omaha, June 28.—There will be no more "whitewashing" of Union Pacific employes in charge of trains when accidents occur. To-day the general manager's office issued a notice that hereafter, when it became necessary to make an official inquiry, outsiders of local reputation were to be invited to take part in the investigation. The purpose is to establish in the public mind the sincerity of the railway company's desire to reach the exact cause of the trouble, regardless of the responsibility.

COFFEE
Impoverishes the Blood.
POSTUM
Makes RED Blood.
YOUR DOCTOR KNOWS.
"There's a Reason."

TO DISCREDIT ORCHARD.

DEFENCE WORKS HARD.

Boise Witness Makes One Explosion Appear Accidental.

Boise, Idaho, June 28.—Attorneys for William D. Haywood, charged with killing former Governor Steunenberg, continued to centre their efforts to-day on the discrediting of Harry Orchard and the establishment of their assertion that Orchard killed Steunenberg in revenge for the loss of his interest in the Hercules mine. They directly attacked the Vindicator explosion with the testimony of a witness that made it appear accidental rather than criminal.

Thomas Wood, a non-unionist, who entered the Vindicator mine as a timberman after the strike began, swore that on the night before the explosion he placed a box containing twenty-five 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 only a short time, and left the level to go to the sixth level, where they were killed. Wood swore that when he reached the shaft, twenty minutes later, the powder was gone, and it was 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 into the giant powder. One witness for the state has sworn that he later found a wire attached to the safety bar, but Wood said that he examined the safety bar carefully and found nothing attached.

THE OPENING OF COURT.

When court opened to-day the prosecution recalled to the stand Dr. I. M. McGee, of Wallace, Idaho, a witness for the defence, whose cross-examination had been deferred. Dr. McGee had testified that he saw Harry Orchard in the Cœur d'Alenes in 1904. On one occasion he observed Orchard in company with a man named Cunningham. Orchard claims to have given the Peabody bomb to a man of this name. The prosecution to-day wanted Dr. McGee to describe Cunningham. The witness said he had seen the man only twice, and then they almost came to blows over a political discussion.

"Was Cunningham a stout man?" asked Mr. Hawley, for the state.

"We did not get that far," replied the witness.

"Did he have a mustache?"

"I don't know; but he had a gun."

Following Dr. McGee, W. B. Easterly was called to continue his testimony begun yesterday.

Easterly denied positively that he had ever talked with Harry Orchard as to the Independence station explosion. Orchard was at Cripple Creek the latter part of 1903 and the first of 1904. "He mined a little," said the witness, "but he was quite a fiend at card games. He seldom worked more than a month at a time."

Easterly said he was arrested at Cripple Creek "as a matter of military necessity," and was thrown into the "bullpen" for violence. Easterly said he was at home in bed when the Independence station was destroyed. He did not know what had happened until next morning. He then heard that the soldiers were coming and went to Cripple Creek, where, with many others, he went to Victor.

"Were you armed?" asked Mr. Darrow.

"No, sir; not with a rifle."

Easterly said he had a six-shooter.

At Victor he went to the union hall, where several hundred members of the Western Federation of Miners were gathered. The streets were filled with all sorts of people, some soldiers, some detectives and some mine owners' officials. Easterly declared that the soldiers in passing Federation men would say:

"There's one that ought to be hanged or have his head shot off."

In the afternoon C. C. Hamlin, secretary of the Mine Owners' Association, made a speech in the streets, in which he referred to the Independence station explosion and said that fifty or more of the leaders ought to be hanged and the rest driven out of the district. Then a shot was fired and, as Easterly put it, "the fireworks began."

"You were armed?" repeated Darrow.

"Yes, sir."

"What did you do?"

EASTERLY "DID LIKE THE OTHERS."

"I did like many of the others; I was very badly excited"——

"Where did you go?"

"When the firing was over I went up Third avenue and stayed there until I saw the militia manœuvring around and apparently surrounding the union hall. Then they began shooting at the hall, and I went on up the hill toward home. On my way I stopped at 'Steve' Adams's house and told him what I had heard and seen."

"What did you tell him as to leaving the country?"

"I told him of the threats I had heard against him and others, and told him he had better protect himself. When I got home I armed myself with a Winchester repeating shotgun and then went to Goldfield, where there was to be a meeting of union men. I met several of the boys on the way, and they were also armed. We were going to meet to protect ourselves.

"While we were at Goldfield we saw the militia and Citizens' Alliance people and their sympathizers, all armed, going about and taking into custody all the union miners they could find."

Easterly said there were only about twenty or twenty-five union men in the hall where the meeting was being held at Goldfield. When the militia started in their direction the miners left the hall and started up the hills. As they went shots were fired at them. The miners took refuge in some prospect holes, but were driven out and over the hills. Easterly said that one bullet struck within a foot of him and a splinter of rock struck him over the eye.

"Did you fire back at the soldiers?" asked Mr. Darrow.

"I did not. I had a shotgun, and it would not reach that far."

"That was the only reason, was it?"

"Yes, sir."

Easterly detailed his movements after crossing the hills, saying that he reached Denver in a few days. There he saw Haywood, Moyer and Pettibone. Easterly changed his name to "Bill Brown." The witness said he went from place to place, working where he could, until 1905, when he once more came back to Denver. On his way, at Pueblo, he met Orchard and Vaughan. Orchard told him he had been selling life and hail insurance, and had been making lots of money.

Leaving Colorado in 1905 Easterly came to Silver City, Idaho. He had seen Orchard again in Denver, but the man had never spoken at any time of any act of violence. The witness then contined:

"In November, after I arrived at Silver City, L. J. Simpkins came there at the invitation of our local to organize the miners in South Idaho. Simpkins told me that Harry Orchard or Tom Hogan was in Caldwell, selling insurance and mining stocks, and that he seemed to be doing well. After that I got a letter from Orchard"——

"Did you keep that letter?"

"No, sir."

"Orchard referred to our talk in Pueblo, and said that he was selling life insurance in Caldwell, which was in a pretty valley; that he intended to sell hail and storm insurance. He asked me to come over and help him. I replied to this and said I was doing too well and declined to go."

Easterly said he got a second letter, to which he made the same reply, and then a telephone message from Orchard.

"He had received my letter, but wanted to know if I could not get a lay-off and come over to see him for a little while. I said I was too well satisfied where I was."

"Did Orchard say anything about his intention to kill Governor Steunenberg?"

"No, sir."

Easterly said that in Colorado he once heard Orchard declare that he had lost his interest in a valuable mine through Steunenberg, and "would get him."

Senator Borah here took up the cross-examination of the witness.

BORAH CROSS-EXAMINES EASTERLY.

Easterly said he was in Colorado during the Steunenberg troubles in the Cœur d'Alenes, and as a member of the union he contributed to the support of the Idaho miners.

He also felt with others that Governor Steunenberg was trying to break up the union. Orchard's threat against the Governor after so many years impressed him, Easterly said, but he did not really know if the man intended to carry it out.

"I told him he was a vindictive sort of man to carry a grudge so long," declared the witness.

He only heard Orchard make the threat once.

"You seemed to know Orchard pretty well?" suggested Senator Borah.

"Pretty well."

"And Simpkins seemed to know him?"

"Yes, sir."

"And When Simpkins came to Silver City, he told you about Orchard?"

"Yes; he was telling me about all the men he met on his travels."

"Did Simpkins tell you what was going on at Caldwell?"

"He was looking over the Southern Idaho field."

"Was he going to organize a union in Caldwell?"

"No, sir, but at Pearl, near there."

"Did Simpkins tell you so?"

"No, sir."

"Did you see Moyer at Silver City late in 1905?"

"Yes, sir, in October, 1905. He was there about two or three weeks before Simpkins came. Moyer was in Silver City three or four days."

Easterly said he first read about the Steunenberg murder and Orchard's arrest in a Boise paper.

"What do you know about a telegram being received at Silver City to take care of Harry Orchard?"

"It was about a week later that Harry Hanlon, our secretary, told me that he had received such a telegram."

Easterly declared he had not up to this time told anybody of the threats he had heard Orchard make against Governor Steunenberg.

"And yet you knew that for two months prior to the killing Orchard was lurking around Caldwell and that he had the intention to kill the Governor?"

"I knew he had made the remark."

"And you told no one?"

"It did not occur to me until after after the murder. I didn't know where Governor Steunenberg lived."

"After the Governor's death, did you tell anybody?"

"I told Nugent."

"But this was after Mr. Nugent had been employed by the defence in this case and after Orchard had confessed?"

"Yes, sir."

"You never at any time told any officer of the State of Idaho?"

"No, sir."

"You kept it entirely in your own breast?"

"I had no occasion to repeat it."

"Not until you heard Orchard had turned against the Western Federation of Miners?"

"Not until he made the statement he did."

"Not until he implicated the leaders of the Western Federation of Miners?"

"And implicated himself," replied the witness.

"Now, why didn't you tell anybody?"

"It was none of my business. I am not an informer along those lines."

"HAD NO OCCASION TO TELL ANYBODY."

Easterly constantly repeated that he "had no occasion to tell anybody."

Senator Borah suddenly changed the line of his cross-examination and took the witness back to Cripple Creek. He asked as to the attacks on "old man Stuart" and the justice of the peace. Easterly said that he had never talked to "Steve" Adams on the subject. Easterly said he lived about a quarter of a mile from the Independence station; Adams about a mile away, and Orchard an eighth of a mile. He was examined closely as to whether any of the men working around the Independence station were union or non-union men. Easterly said that as far as he knew they were all non-union men working in "unfair mines."

"One of the men killed by the explosion," he said, "had been a member of the union."

"When you left your house the day after the Independence depot explosion, did you leave an infernal machine under the floor?"

"No, sir."

"A shotgun?"

"No, sir. I left two rifles."

"Let's see; you kept in your house two rifles, a shotgun, a six-shooter and an infernal machine?"

"No, sir."

"What did you keep?"

"I kept a shotgun, two rifles and a six shooter."

"Infernal machine is rather indefinite," suggested Mr. Darrow, of the defence.

"Not to an expert," rejoined Senator Borah.

"Then you may know about it, but I don't," declared Darrow.

"Well, if I don't, we have a witness who does," said the Senator.

"I guess that's so," commented Darrow.

Senator Borah quickly brought the cross-examination to a close.

On redirect examination Mr. Darrow asked about Moyer's visit to Silver City in 1905. Easterly said he saw Moyer in the Bunk house, in the presence of twenty or thirty other men. The threats made by Orchard in 1903 were then taken up, and Darrow asked when the fact that Orchard had made these threats came back to his memory.

Easterly said he remembered them immediately after Orchard was arrested.

"And you at once went to the attorney for the federation and reported it to him?"

"Yes, sir."

Easterly said the crime was attributed to the Western Federation of Miners by some of the papers long before Orchard confessed.

On re-cross-examination Easterly said it was in January, 1906, and not February, that he first told Nugent about the Orchard threats. He was asked if he desired to modify his statement that he had not told the lawyer until after Orchard's confession, but declared that he did not believe he had made that statement.

"That's so," said Senator Borah.

"You told Nugent as soon as the matter came to your mind, did you?" quietly put in Mr. Darrow.

"Yes, I did."

Easterly left the stand and Joseph Scholz was called. He said he was in Cripple Creek in 1903 and 1904. Orchard said that a man named Scholz had gone down into the Vindicator mine with him to see off a carload of powder. He was confronted by the man who took the stand to-day, but said he was not the same person.

Scholz said to-day that there was no other Scholz in Cripple Creek until late in 1904, when a gunman of that name arrived. The witness said he did not know Orchard.

THE BLOODHOUNDS AT VICTOR.

George Breen, who was a railroad man at the time of the explosion at the Independence station and worked out of Canon City, was called to testify to the bringing of bloodhounds from the penitentiary to Victor upon the day of the explosion. He was briefly cross-examined, and the state passed the cross-examination.

The first witness after recess was C. A. Collins, of Leadville, Col., a railroad brakeman, who was a miner at the time of the Independence explosion. He told of two bloodhounds being brought there and put on the scent. They circled about somewhat and then brought up at a cabin occupied by "Al" Beemore. The last he saw of the dogs they were being taken toward the Vindicator mine.

Cross-examined by Mr. Hawley, Collins said he had belonged to the Western Federation of Miners. He was twice arrested by the military following the Independence station affair and thrown into the "bull pen." He was also arrested by the civil authorities and convicted of being drunk and disorderly.

"You were arrested for creating disturbances among non-union men?"

"No, sir."

Collins said his house was only 150 feet from the wrecked station. The explosion broke two windows in the house and stopped a clock. He and his mother and three brothers were wakened by the explosion, but none had curiosity enough to look out and see what had happened. They went back to bed and to sleep. Collins said he knew "Steve" Adams, but had not seen him around Independence for some time prior to the explosion.

L. F. Taylor, of Independence, a miner and formerly a member of the Western Federation of Miners, also testified as to the action of the bloodhounds in taking the scent twice from the wire and chair rung at the station and running to "Al" Beemore's house.

"Who was Beemore?" asked Darrow.

"He was a deputy sheriff and a long time marshal of Independence."

Taylor said he had not been a member of the union for a year prior to the wrecking of the station. He was not arrested or otherwise disturbed during the duration of martial law.

Thomas Wood, a native of Scotland, a non-union miner, who was at work as a temper man in the Vindicator mine at the time of the explosion, was the next witness offered by the defence. Wood said the day before the explosion he placed half a box of dynamite on the water barrel near the shaft of the 800-foot level. When he started to work the night of the explosion he saw the box where he placed it. He passed McCormick and Beck, subsequently killed in the explosion, coming out of the level. Half an hour later the explosion occurred. Rushing out of the level, Wood said, he noticed the powder was gone. The explosion occurred on the sixth level, where it was placed to begin work the night McCormick and Beck were killed.

CALL VINDICATOR EXPLOSION ACCIDENT.

It became evident here that the defence planned to show the Vindicator explosion was an accident, McCormick and Beck having taken the half box of dynamite to the level where work was about to begin.

Orchard, in his testimony, said that the explosion in the Vindicator was caused by a revolver being attached to the lift bar of the cage. Wood testified to-day that when he saw Beck in the eighth level he saw a revolver in his pocket. When he found the bodies of McCormick and Beck he found the remains of a revolver on the ground.

Wood gave a graphic description of the flight of the miners from the Vindicator following the explosion, some of them climbing up the 800-foot shaft, only to find that at the sixth level the ladders had been broken by the force of the explosion.

During his cross-examination by Senator Borah, Wood identified the pieces of the revolver which the prosecution introduced in evidence as a verification of Orchard's testimony. Wood said that in leaving the eighth level, when he noticed the disappearance of the dynamite, there was great confusion.

"It was a matter of life and death with which you were concerned?" asked Senator Borah.

"Yes, sir," said Wood; "I wanted home, that is all."

Wood said he searched carefully everywhere around the scene of the explosion, but found nothing of importance except the fragments of the revolver.

"You looked very carefully?" asked Senator Borah.

"Yes, sir, I did, and I looked for the infernal machine they talk about, but I did not find it."

J. C. Copley, now a watchmaker and jeweler at Mina, Nev., formerly a miner and leaser at Independence, followed Wood on the stand. Copley said he joined the Western Federation of Miners in 1899 and continued a member up to about a year ago. For two years he was a member of the executive board. Copley organized the Colorado City Smeltermen's Union. It was in connection with this union that the labor troubles in Colorado started.

"You are the responsible party, are you?" asked Mr. Darrow.

"I have been accused of it," said Copley.

Copley met Orchard at Cripple Creek in November, 1903. He did not see him in Denver following the Independence explosion. He met Orchard, Davis and Neville in "Pat" Moran's saloon, in Cheyenne, while on his way to Omaha. Copley said he left Denver on the advice of an old friend, who said the leaders of the federation were about to be arrested.

Copley, at the suggestion of Haywood, eventually made a tour of the West, giving an illustrated lecture on "Cripple Creek Cruelties," showing conditions in the district during military rule. At a lecture in San Francisco on December 4, 1904, Copley said he saw Orchard. He had no idea what he was up to this time. Orchard came to see him four or five days later and asked him what he thought of the Bradley affair, saying Bradley was one of the Cœur d'Alenes gang who had got "what was coming to him."

"He told me that Governor Steunenberg would get the same dose," continued Copley. "He said he once owned an interest in the Hercules mine and he seemed to have a grudge against Steunenberg. Orchard told me he was making a living gambling with the soldiers at the Presidio."

ORCHARD PLANNED TO SHAVE COINS.

Copley said Orchard asked him if he thought it a feasible plan to drill into the edges of $20 gold pieces, extract some fillings and fill in the holes with base metal. The witness advised him against any such plan, saying he could make only wages at it and would eventually land in the penitentiary. Copley gave Orchard permission to use his room and change his clothes, to don the soldier's uniform in which Orchard went back to Denver.

Cross-examined by Senator Borah, Copley said he paid no heed to the threats made by Orchard, even in view of the fact that Bradley had been blown up; that Orchard had proposed shaving gold coins and was about to disguise himself in soldier's clothes.

"I thought it was one of those idle threats such as we hear daily," declared Copley.

"All these things did not arouse your suspicions?"

"No, sir. I had no idea Orchard had anything to do with the Bradley affair. The only criminal thought I knew of was his preparation to mutilate coin."

"Did you ask him why he did not change his clothes in his own room?"

"No. He said he wanted to get back to Denver, and unless he was disguised he feared arrest for being connected with the strike."

"It did not occur to you that he was disguising himself to get out of San Francisco?"

"No, sir; I gave no thought to that."

Copley said he never saw "Pat" Moran at any place except in his saloon in Cheyenne.

"How did you happen to go to Moran's saloon?"

"It was the first one I struck going up the street from the depot," replied the witness, amid laughter.

"Who was the old friend who told you you had better leave Denver?"

"A member of the police and fire board."

"What was his name?"

"Well, it did not come directly from him to me; it came through a third party, whose name I have forgotten."

"But who was the original friend?"

"T. S. Kemp."

"Did Orchard say anything to you in San Francisco about Pettibone being his banker?"

"No."

Taking up the re-direct examination, Mr. Darrow asked him: "Did Orchard tell you he had blown up the Bradley house?"

"Well, the inference was that he had had something to do with it, but I did not take any stock in the man and did not believe he had."

Court here adjourned until to-morrow.

FRENCH CLOSE SCHOOLS.

On Island of Madagascar—Lutheran Missionaries Protest.

[By Telegraph to The Tribune.]

Milwaukee, June 28.—France has ordered the schools in the island of Madagascar closed, which is a severe blow to the United Norwegian Lutheran Church of America, which has several important educational institutions there in connection with its missionary work.

The Rev. Gustave Stearns, of the English Lutheran Church of the Ascension, has just returned from the annual meeting of the church body in Northfield, Minn., where the action of the French government came up for discussion.

"We have sent one of our ministers to Washington," said Mr. Stearns, "to report the matter to the government of the United States, as nearly all of our missionaries are American citizens. Our work in Madagascar was begun before the French government gained control. I am not a statesman, but I cannot believe that our flag is too small to protect the property of American citizens."

JUSTICE PITNEY'S SON THROWN.

Auto Frightens Horse—Fall Causes Concussion of Brain.

[By Telegraph to The Tribune.]

Morristown, N. J., June 28.—Frightened by an automobile this afternoon, a horse ridden by Guy Shelton Pitney, fifteen years old, son of Justice Mahlon Pitney, of the Supreme Court, threw his rider under the wheels of the machine, knocking him unconscious. A physician who happened to pass soon after the accident found the boy suffering with concussion of the brain.

The doctor advised his removal to a hospital, but a carriage was called and the boy taken to his home in Colles avenue. There it was said tonight that he had regained consciousness and would recover. No bones were found broken.

George Dalrymple, who was driving the automobile, when he saw that young Pitney was losing control of the horse ran the machine into the gutter. The horse took fright at a distance and bucked like a Western pony.

VICHY CELESTINS

STANDARD NATURAL
A Delightful Table Water with Highly Medicinal Qualities

ALKALINE WATER
Standard Cure for Dyspepsia Stomach Troubles and Gout

Mirrors don't always tell the truth.

The candid opinion of your family and friends is the judgment we like best passed on our men's suits.

Summer weight mixtures, Tropical weight batistes, flannels, crashes, homespuns and serges.

$16 to $40.

Perhaps you can use a pair of flannel trousers while we're busy selling them all this afternoon.

$5 to $8.

ROGERS, PEET & COMPANY.

Three Broadway Stores.

258 at Warren st. | 842 at 13th st. | 1260 at 32nd st.

The talking for our boys' department is now largely done by the reduced prices.

The whole stock of boys' mixture suits of all styles now offers better values than ever.

Every suit new this Spring.

Boys' bathing suits, boys' sneakers, boys' flannel shirts and jerseys are other seasonable items.

Not to speak of the wash suits we have in such variety.

ROGERS, PEET & COMPANY.

Three Broadway Stores.

258 opposite City Hall. | 842 near Union Square. | 1260 opposite Greeley Square.

Spend Fourth of July
AT THE
Thousand Islands
LOW ROUND TRIP FARES
Via the
NEW YORK CENTRAL LINES
"America's Greatest Railway System"

For information see ticket agents or apply to L. F. Vosburgh, General Eastern Passenger Agent, 1216 Broadway, corner 30th Street.

Telephone 5680 Madison Square.

"Thousand Islands" mailed on receipt of a 2-cent stamp by Advertising Department, Grand Central Station, New York.

NEW YORK CENTRAL LINES
"AMERICA'S GREATEST RAILWAY SYSTEM"

PLEA, UNWRITTEN LAW.

LOVING CASE ARGUMENTS.

Defendant's Life Asked "for Honor of Virginia."

Houston, Va., June 28.—The argument of the attorneys in the trial of former Judge William G. Loving for the murder of Theodore Estes was begun late this afternoon, after a day spent by the attorneys of both sides in the preparation of instructions, and a legal wrangle over them before the court. The instructions as read by Judge Barksdale discussed murder, its various degrees, the question of reasonable doubt, the time allowed for a man's angry passions to subside, and especially insanity.

The following instructions, prepared by the prosecution, touching on the "unwritten law," was stricken out by the court: "No man under the protection of the law has a right to be the avenger of his own wrongs; if they be of a nature for which the laws of society give him an adequate remedy, thither should he resort; but be they of any nature whatsoever, he has no right to avenge them except in the manner prescribed by the law. The 'unwritten law,' by which is meant the right of the citizen to become the avenger of his own wrongs in a manner not authorized by law or against the law, has no place in the criminal jurisprudence of Virginia."

Daniel Harmon, of Charlottesville, for the prosecution, and Aubrey E. Strode, for the defence, spoke for an hour and a half each this afternoon, and the court adjourned at 7 o'clock until to-morrow morning. Messrs. Moore, Barksdale and Lee will then speak for the defence, and Wood Bouldin, of Halifax County, the commonwealth's attorney, will close for the prosecution.

Mr. Harmon, in his address, sought to show that Judge Loving killed Estes after "deliberation, premediatation and upon reflection," and that the defendant was a sane and responsible man at the time of the killing, thus making the offence murder in the first degree.

"The defendant," he said, "is a character that seldom comes before your courts. The case is full of dramatic details. This young man is dead in the prime of life, and called to his tragic end without one word of warning—without preparation. He sleeps on the green hillsides of Nelson County, and you are here to find out who put him to death. At his death he was engaged in his usual occupation. He knew the defendant and was acquainted with his high temper, but on that very day went within a mile of his home, and when the negro who was in the car remarked 'Here comes Judge Loving' he was as unconscious of danger as the old colored man who made that remark. There is no evidence in this case to show that young Estes had been guilty of any wrongdoing, and you have no right to base your verdict on any assumption that he was guilty. The commonwealth will not be given the right to vindicate him, and every man stands in the eyes of the law innocent until he has been proven guilty. You must look at the case throughout from that point.

"Any one may come here and make a statement about you that so enrages me that my blood begins to boil and I go to seek you and kill you, regardless of whether the charges may be true or false. Then can I be acquitted if I have the financial ability to employ an expert on insanity?

"The first information regarding the horrible condition of affairs is alleged to have come to Judge Loving between 8 and 9 o'clock in the morning, and the crime was committed between 3 and 4 o'clock that afternoon. Did he not have time to reflect and deliberate? Judge Loving got in his buggy with his gun and his ammunition and then went in search of young Estes, going to several places before locating him. Does that not sound like the action of a deliberate and sane man? According to the statement of the defendant, told to the magistrate and on the witness stand here, he said: 'I deliberately sought his life and killed him.'

"Talk about will power. Here is a reformed drunkard who went for twelve years without getting on but two sprees, a man who served as a judge of his county with honor and distinction, and who is at the head of a large estate. If there is a verdict of acquittal, I will ask the court to request you to specify if it is based on insanity. Why is this claim of insanity presented? My friends on the other side must recognize the force and strength of evidence that is against the defendant."

Mr. Strode, who followed, based his plea almost exclusively on the unwritten law. He said in part:

"We have come to you to present the case for the defendant where we always believed it should be presented, in a court of justice. We believe that the people of Halifax and Nelson counties cherish the same traditions and the same sentiments. The heritage of Virginians is common to us all. The test of the fairest and best trial of a man is before a jury, endowed with similar and like passions. The condition of his mind cannot be decided so well as by a tribunal of his own countrymen. The first principle of law is to put yourself in the place of that man who is before you for trial. That feeling of kindly chivalry and courtesy of the citizens of this south side of Virginia has made it a pleasure to have this case tried in your midst.

"The commonwealth demands the life of the defendant, and for what? I do not undervalue life, but there is something sweeter to all Virginians—the honor and the purity of our women. We have written in our laws that if a man attempt to assault one of our daughters he has forfeited his life. You, gentlemen of the jury, have nothing to do with the truth or the falsity of the story that Miss Loving told her father. His daughter was his pride. He admired her beauty and her purity. When he heard that this daughter, to whom he was bound by affectionate and devoted ties, was brought home drugged and unconscious by a young man to whose courtesy and chivalry she had been intrusted he labored against his passions and remained away from the sight of young Estes until he heard the story of her ruin from her own lips."

Mr. Strode discussed Judge Loving's struggles against the whiskey habit, the buggy ride and the testimony of the insanity experts. He appealed to each juror to place himself in the same position as Judge Loving, and not to let "old Halifax go back on that established precedent that one of our most cheerful and best duties is the protection of the honor and the virtue of our women."

During Mr. Strode's address Judge Loving occasionally lifted his handkerchief to his eyes, but displayed little emotion. His wife wept and with bowed head covered her eyes with her handkerchief.

BLACK HAND IN LOVING CASE.

Houston, Va., June 28.—Judge Barksdale to-day received a letter postmarked New York City, purporting to have come from the Black Hand, threatening his life if Judge Loving is acquitted. Judge Barksdale regards the letter as "a trifling incident."

Hammocks
Lawn Umbrellas and Seats
Garden Baskets
LEWIS & CONGER,
130 & 132 West 42d Street, and 135 West 41st St., New York.

Delicious Dishes

Delicious dishes—ones that possess an out-of-the-ordinary goodness—are easy for the housewife who becomes thoroughly acquainted with the many unique uses of

DURYEAS' Corn Starch

The wholesomeness, purity and uniform excellence of this fine product have placed it in the front rank as a food, a dessert and a help to better cooking and baking. Learn how these wonders are accomplished by getting free our

Book of Recipes and Cooking Suggestions

which offers countless inexpensive ways of preparing Duryeas' Corn Starch. Also opens the way to better cooking through more than a hundred hints and suggestions, prepared by the best cooks. Write to-day for free copy. Duryeas' Corn Starch, always reliable, always the best, is sold by all grocers in pound packages—10 cents.

NATIONAL STARCH COMPANY, New York.