

DEFENSE ALMOST READY TO REST

Calling of Haywood and Moyer as Witnesses May Go Over Till Monday.

NOTICE OF MOTIONS GIVEN.

Prosecution Will Move to Strike Out Evidence Unless Connecting Up Testimony Promised is Forthcoming.

Boise, Ida., July 3.—At the adjournment of the Steuenberg trial today the prosecution served notice of its intention to submit a series of motions to strike out evidence of the defense, unless the connecting-up testimony that has been promised is forthcoming.

James H. Hawley, senior counsel for the state, said in reply that it was the intention of himself and his assistants to present a series of motions dealing with the evidence presented by the defense.

The defense operated today along nearly all of its lines. There were attacks on Orchard's testimony at several points, there was a showing that the union miners had been abused by the mine owners and militia at Cripple Creek and Telluride, there was evidence that Pinkerton agents had advised violence and endeavored to prolong a strike, a woman who served with the relief committee that looked after the families of the deported miners at Cripple Creek swore that she had been twice arrested and twice warned that if she persisted in her work she would be deported, and another woman located Orchard with Detectives Scott and Sterling the night of the second attempt to wreck the Florence & Cripple Creek railroad train.

AFTERNOON SESSION.

David C. Coates, former lieutenant governor of Colorado, formerly a newspaperman of Wallace, Ida., was the first witness at the afternoon session. Mr. Coates is the man Orchard said suggested the kidnaping of one of the Paulson children in Wallace, Paulson being a former partner of Orchard in the Hercules mine.

Examined by Atty. Darrow, Coates said he had been a newspaperman practically all of his life. He has set type, reported and published his own paper. He once belonged to the International Typographical union but was never in any way connected with the Western Federation of Miners. The witness was lieutenant-governor of Colorado under Gov. James E. Orme. He knew Haywood, Moyer and Pettibone in Denver, and met Orchard under the name of Thomas Hogan in Pettibone's store the day the witness was leaving to make his home in Wallace.

SAW ORCHARD IN WALLACE.

"The next time I saw Orchard was six weeks after I arrived in Wallace. He met me at the bank and said he had come up to see some of his old friends. Three days later he came to my office and began to talk about looking for some easy money. He said he thought he might get some by stealing some of Paulson's children. I don't know that I made any reply to him at all, for I didn't think he could be in earnest.

"Some days later Orchard came in again. He said he had been up to Paulson's house to dinner and had played with the children. He again spoke of kidnaping one of them and wanted to know if he could have the money left with me. I said to him: 'Orchard, you are a fool, and I would be a bigger fool to go in with you in any such crime. If you try to do anything like that around here I will denounce you.' He said: 'Oh, you needn't get so excited about it, and went out. I thought at first he was serious, but the way he laughed and told me not to get excited made me think that perhaps he wasn't after all.'

"Did you ever suggest to Orchard in

Denver or anywhere else the kidnaping of one of the Paulson children or any other child?" asked Mr. Darrow.

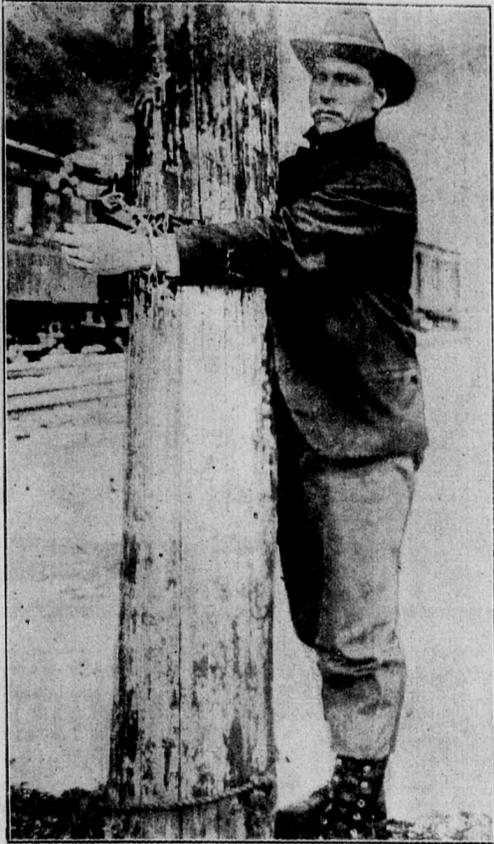
"No, sir; I did not. There couldn't be anything more repulsive to me than that."

"You have a family?"

"Yes, sir; I have a young daughter."

ORCHARD MADE THREATS.

Coates said he saw Orchard several times before the man left Wallace in the fall of 1905. Orchard told him that the more he saw of his old friends and partners the more bitter he became over having to leave the district. He said he would "get even" with Steu-



HENRY MACKI.

Picture Made When He Was Tied to Telephone Pole by Militia, in Telluride—Hands Frozen—Witness for Defense.

berg. "I told him that the old feeling of 1899 had about died out and he ought not to think about it; that there were plenty of other opportunities in the Coeur d'Alenes."

The witness next told of Orchard having borrowed \$300 from August Paulson before leaving Wallace. Cross-examined by Senator Borah, witness said he first met Pettibone, Moyer and Haywood some time prior to his nomination as lieutenant-governor. They had been close friends for a long time. He was at one time president of the Colorado Federation of Labor, and this had put him in close touch with the Western Federation of Miners.

"You've visited the headquarters of the Western Federation of Miners?"

"Many a time."

"When you met Orchard at Pettibone's store you were returning from Chicago, I think?"

"Yes, sir. I was returning from a convention of the Industrial Workers of the World."

"Haywood attended that convention?"

"Yes, sir."

Coates said Jack Simpkins was in Wallace while Orchard was there, but he could not remember ever having seen them together. Simpkins often called at his office.

NEVER TOLD PAULSON.

The witness said he never said anything to Paulson regarding Orchard's talk of stealing the child.

"Did you say to Deputy Sheriff 'Ras' Beamer on the streets of Boise at the time of Orchard's cross-examination that if Orchard had mentioned to you the kidnaping of Paulson's children he never would have had a chance to kill Steuenberg?" asked Senator Borah.

"There were several of us on the street that night—Mr. Darrow was in the party—when I said that if Orchard had attempted to kidnap any of those children he never would have got out of the country and never would have had a chance to kill Steuenberg."

Mrs. Nellie E. Joyce of Denver, Colo., who was formerly housekeeper at the boardinghouse of the Florence & Cripple Creek railroad at Cripple Creek, testified to seeing Harry Orchard at the boardinghouse on the night of the second attempt to wreck a train. He was accompanied, he said, by D. C. Scott and K. C. Sterling, detectives for the railroad and the mine owners.

A WOMAN'S EXPERIENCES.

Mrs. Margaret M. Hooton of Anaconda, Colo., who distributed relief to the families of deported Cripple Creek miners, was called to tell of being arrested and taken to the jail in the city of Anaconda, where she was confined to assist the families under penalty of being deported herself. She continued to distribute relief, however, and was not deported. Mrs. Hooton also told of the looting of the Anaconda Union store. There was no cross-examination.

Miss Annie Sanders followed Mrs. Hooton, and told of witnessing the looting of the Union store on Bennett

avenue, Cripple Creek, in August, 1904.

Henry Macki, of Silver City, Ida., related to the jury his experiences in the Telluride district during the strike. Macki's English was so broken he could scarcely be understood at times. He said one day, when under arrest, without any charge against him, he refused to do some loathsome work, and was fastened to a telegraph pole, his arms being around the pole and handcuffed on the other side. All the time he was under arrest Macki said he had more than \$500 in his pocket.

With the conclusion of Macki's testimony adjournment was taken until 10 a. m. Friday morning.

various lines. Particularly was this the case, he pointed out, in the public schools, in which the various provinces are taking the lead of Chile, the metropolitan province of China, under Viceroy Yuen Shi Kai. In that province, which took the lead in all reforms advocated by the government, he said in the last three years 2,825 schools had been established. It was the sincere desire of the government, he declared, to give every attention to the development of the educational system, to the end that the younger element might get the advantages to be derived from it. The government feels, he said, that no reform can be successfully accomplished without educating the younger generation thoroughly.

IN THE KAISER'S HONOR.

Copenhagen, July 3.—A dinner was given tonight at the Fredensburg castle in honor of Emperor William and the Empress. The entire Danish royal family was present. King Frederick in toasting Emperor William expressed the hope that his majesty would feel at home in Denmark. In reply the German emperor toasted the Danish royal family and said: "Her majesty has been most happy to comply with your wish, and she hopes to enter the intimate circle of your family. I thank you heartily for this kind welcome, and I trust it is a token of the hearty friendship between our two houses."

STOLEN MAIL SACKS RECOVERED

Lander, Wyo., July 3.—Two mail sacks stolen in a stage holdup near Myersville in February, 1906, have been recovered by postoffice inspectors and letters of which there were several hundred, have been sent on to their destinations.

LONG LIVE THE KING!

is the popular cry throughout European countries; while in America, the cry of the present says "Long live Dr. King's New Discovery, King of Throat and Lung Remedies!" of which Mrs. Julia Ryder Paine, Truro, Mass., says: "It never fails to give immediate relief and to quickly cure a cough or cold." Mrs. Paine's opinion is shared by a majority of the inhabitants of this country. New Discovery cures colds, coughs and sore throats after all other remedies have failed, and for coughs and colds it's the proven remedy. Guaranteed by Z. C. M. I. Drug Store, 112-114 Main St., druggists, 50c and \$1.00. Trial bottle free.

ITALIAN REST DAY BILL.

Rome, July 3.—The weekly rest-day bill, which provides that all employes shall have one day of rest in the seven, was approved by the chamber of deputies today.

GERMAN BANKER DEFAULTS.

Berlin, July 3.—It developed today that last week's bank failure at Marienburg, due to the defaulting of the manager of the bank, was more serious than at first expected. The loss is now said to total about \$1,000,000. Thousands of small depositors lost their savings and many tradesmen were ruined.

HOLMES JURY DISAGREED.

Washington, July 3.—After being out for almost 26 hours, the jury in the case of former Associate Statistician E. S. Holmes, Jr., of the department of agriculture, on the charge of conspiring to defraud the government by giving out the department's crop information, was today at 4:45 p. m. discharged from further consideration of the case. The jury was summoned to the criminal courtroom at that hour by Judge Stanford, who, after ascertaining that they had been unable to reach an agreement, dismissed them. Earlier in the day the jury had made a visit to the courtroom in quest of further instructions on the subject of conspiracy.

THE CHINESE MINISTER.

Saddest Experience of His Life is Leaving the United States.

Washington, July 3.—"I have been through a great many trying experiences in my life, but the saddest of all, I think, is leaving the United States and the many true friends I have made here."

These were the words of Sir Chen-tung Liang Cheng, the Chinese minister, as he sat in the library of the legation today chatting with a representative of the Associated Press just prior to his departure for the railroad station, from which he left for the city of San Francisco, at which place he will sail on the steamship Kora July 9 for home.

"I am deeply sensible of the courtesy and kindness which have been shown me throughout my career here by the American people," continued the minister.

Minister Liang talked interestingly of conditions which have been shown in the country and noted with evident enthusiasm the progress which is being made throughout the empire along

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CIVIL SERVICE EXAMINATIONS. Washington, July 3.—The civil service commission announces the fall examinations for the departmental services in Washington will be held as follows: Utah—Logan, Sept. 11 and Oct. 16; Salt Lake City, Oct. 12, Sept. 11 and Oct. 16.

THE CHARMING WOMAN. is not necessarily one of perfect form and features. Many a plain woman who could never serve as an artist's model, possesses those rare qualities that all the world admires: neatness, clear eyes, clean smooth skin and that sprightliness of mind and action that accompany good health. A physically weak woman is never attractive, not even to herself. Electric Bitters restore weak women, give strong nerves, bright eyes, smooth, velvety skin, beautiful complexion. Guaranteed at Z. C. M. I. Drug Store, 112 and 114 Main Street, 50c.

STATUTE WILL BAR SCHMITZ AS A CANDIDATE. San Francisco, July 3.—Announcement by Eugene E. Schmitz, that he would be a candidate for re-election to the mayoralty this fall to a fourth term unless his appeal for a new trial in the meantime denied by the appellate and supreme courts, has raised the question of whether he can legally go upon the ballot. An examination into the law on this point was made today by Asst. Dist. Atty. Robert Harrison, and the tentative conclusion was that the mayor is barred.

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