DEFENSE RESTS IN THE TRIAL OF LIBEL SUIT

(Continued from First Page.)

mitted the publication of the article and alleged its truth.

The issue of Sept. 20 contained an account of the proceedings of court during the present trial, the particular evidence narrated being that of James H. Wallis while on the stand.

Veatch Called to Stand.

John W. Veatch was next called to testify. He is advertising manager of the Capital News. He was asked what he told Mr. Sheridan. The attorneys strenuously objected, but the court admitted the evidence. Veatch then told of finding five or six calves nearly matured, and several dead turkeys, and of the general unsanitary conditions that he found near the slaughter house, and which he traced to the slaughter house by means of wagon tracks.

John K. White was recalled and testified that he had placed a seal on the rear door of the slaughter house himself while Dr. Smith put the seal on the front door.

Dr. M. W. Smith was also recalled. He told of being present in the office of Mr. Wallis when Wallis and Bosworth were discussing conditions at the slaughter house. Bosworth said he would put a force of men to work and clean up but would not be able to do much before Monday. This conversation occurred Aug. 15.

Rebuttal Is Opened.

The first witness presented by the plaintiff in rebuttal was George Henry Walker who said he was a butcher and has slaughtered animals pretty much all his life. He is working for the Idaho Packing company, but was working for the plaintiff company up to Aug. 10 of this year and was familiar with the slaughter house and its conditions up to that time. He said the last killing he did there was Aug. 7. He then killed a steer and one hog. He said he put the offal in a wagon and hauled it to the fire pit and set fire to it. He said he did not scald the hog but skinned it and hung the skin on the fence. He said the tank had sprung a leak and would hold not enough water. He said he put some water in and found it leaking so he skinned the hog. The tank he said, was perfectly dry before that. He said he didn't know whether there was any killing done between the seventh and tenth, but he had charge during that time.

The attorney desired to go still further back of Aug. 7 to inquire into slaughtering but the court demanded to know how far back he wanted to go and in order to thresh the matter out the court excused the jury and heard arguments from the attorneys, after which adjournment was taken to 2 o'clock.

C. Lee French, a clerk in the office of the state pure food inspector, testified to his visit to the place. He detailed what he saw very much as heretofore given. He mentioned a meat saw to which was clinging pieces and shreds of meat left there from previous use and that it was covered with flies. "In fact," he said, "the place was all covered with flies and could not be otherwise."

He told of the "cooling room" being very warm and close with no ventilation. He described the manner in which this room was built. He said under the killing platform was a bucket of thick blood and near that an old dirty wagon.

He said a rendering tank just outside the lard house was exceedingly dirty and the instruments used to stir the contents were hanging just outside and these were covered with grease and dirt.

He described the interior of the lard room and its contents and said buckets of lard were there, some covered and others uncovered. The lard was very dark, covered with flies, bugs, dirt, mice droppings and other filth. He said he carried some of the cans to the door, so that their contents could be seen more plainly and he said on each trip he found the floor of the lard house so dirty and so greasy that he could scarcely walk.

He told of the animals confined in the pens and of the lack of water and described the offal pile as 2 or 3 feet deep and 20x30 feet wide. "The first thing I noticed was a full grown dead calf near the pile and near that another just on the edge of the pile." He described them as full grown calves, with no indication that they had ever stood on their feet.

An Awful Stench.

"The stench that came from this offal pile was more than ordinary persons could stand. I was up on it and all around it, but it was almost more than I could stand. There were chickens around eating the maggots.

Q. Were there any other chickens around than those owned by the slaughtering people?

A. There is not another house within a half a mile.

The witness told of being sent back Aug. 14. by Inspector Wallis to watch conditions. He said there was no water for the stock the first day when he left and none at noon when he went back the next day and no signs of any.

He said the offal pile was not set on fire until between 4 and 5 o'clock of this second day shortly before Wallis and the Capital News reporter got there.

When he went into the slaughter house he saw a pair of water proof overalls all blood stained and in a very filthy condition. When the butcher took the paunch from the first animal, he let it lie just under the beef until he finished skinning it and then he stuck his knife into the paunch, stuck his knife into his scabbard and then stuck his fingers into the hole made in the paunch and dragged it over to the chute into the river and emptied the blood and other contents of the paunch into this chute and let it run down into the river. He said he noticed the discoloration of the water in the river as far as he could see down the stream. He said he saw in this chute ears of calves and other pieces of flesh.

Cross-Examination of French.

The general method of cross-examination of witnesses by Mr. Gibson, attorney for the plaintiff, is shown in the cross-examination of Mr. French which is herewith given in full as a sample of all of them:

By Mr. Gibson:

Q. What date was it you found no one there when you arrived?
A. Aug. 13.
Q. Did you walk around the yard there?
A. Yes.
Q. There was a yard there?
A. Yes.
Q. What time of day was it on the thirteenth?
A. After 6 o'clock.
Q. And that is the first time you had been down there that day?
A. Yes.
Q. Why is it you so particularly noticed dead chickens?
A. I couldn't help but look at them when they were under my feet.
Q. It was pretty hard to walk around without stepping on them?
A. In places.
Q. How many would you say there were?
A. Several.
Q. Fifty?
A. Several.
Q. How many?
A. I don't know the exact number.
Q. Two is several?
A. No.
Q. About how many did you see there?
A. I saw several.
Q. When you entered the slaughter house, you saw a pair of water proof trousers?
A. Yes.
Q. Do you know for what purpose those trousers were used?
A. Yes.
Q. What?
A. Slaughtering beef.
Q. You say there was a very bad odor from everything around there?
A. Yes.
Q. What was around there?
A. Rotten water.
Q. Does water get rotten?
A. It does when hog scrapings is in it.
Q. Besides this rotten water, what else did you see?
A. Old blood and refuse from the previous kiling.
Q. That was on the thirteenth you are speaking of?
A. Thirteenth.
Q. This old blood you saw was dry blood?
A. Yes.
Q. Do you know whether dry blood has much odor to it?
A. It did at that time.
Q. The cement floor was pretty well washed off?
A. No.
Q. All over with blood?
A. Not all over, no.
Q. You are sure it wasn't washed off?
A. Positive.
Q. Just left as it was the last time?
A. Yes.
Q. How deep was this water in the hog vat?
A. I didn't examine the depth of it.
Q. About how deep?
A. I don't know.
Q. Did you see the vat?
A. Yes.
Q. Did you look inside it?
A. Yes.
Q. Did you look outside of it?
A. Yes; underneath it.
Q. Didn't you put a stick down in that vat?
A. No.
Q. Just looked at the water there?
A. And the hog scrapings.
Q. How did you see the hog scrapings?
A. Dr. Smith stirred them up with a stick.
Q. Did you see him do that?
A. Yes.
Q. Do you know now about how deep that water was?
A. No.
Q. You saw a trap door there?
A. Yes.
Q. Where they drop hogs through?
A. Yes.
Q. You stated awhile ago there was a platform upon which they killed hogs?
A. Yes.
Q. Was that cement?
A. No.
Q. That platform upon which they killed hogs was at the east side of the slaughter house?
A. Yes, sir.
Q. Is it cement?
A. No.
Q. What is it made of?
A. Lumber.
Q. Positive of that?
A. Yes.
Q. You are as sure of that as you are all the testimony you gave here today?
A. Yes, sir.
Q. You took very particular notice of the things that didn't appear to you to be proper?
A. Certainly.
Q. Under this hog platform outside that you noticed made of wood, you say you found a vessel?
A. Yes.
Q. That is outside the slaughter house?
A. Yes.
Q. What did you say you saw in that vessel?
A. Blood.
Q. Pure blood?
A. No.
Q. What else with it?
A. Rotten blood.
Q. What I mean by pure blood is, was it blood alone, unmixed with anything else?.
A. Yes.
Q. Solid blood?
A. Yes.
Q. Hard?
A. No.
Q. Was it thoroughly clotted?
A. Yes, sir.
Q. How big was that vessel?
A. It was the small sized galvanized tub; I don't know the exact dimensions of it.
Q. You are sure there was no water in that tub also?
A. Yes.
Q. You saw this trough?
A. Yes.
Q. It runs a pretty good grade down the river?
A. Yes.
Q. About how long is it?
A. About 30 or 35 feet.
Q. Dumps off in the river?
A. Yes.
Q. How many ears did you see down there?
A. Don't remember the exact number.
Q. Would you say three, a dozen, a hundred?
A. I would say several.
Q. What do you mean by several?
A. A number of them.
Q. Did you say in the center of that room there was a large platform?
A. No.
Q. A pump there?
A. Yes.
Q. On the thirteenth, you didn't see any old offal pile in the slaughter house?
A. In the slaughter house?
Q. Yes.
A. No.
Q. See any old offal pile in the slaughter house on the fourteenth?
A. No.
Q. Did you see any pile—offal pile just outside of the slaughter house?
A. Short distance from it.
Q. Did you see any just outside?
A. Not leaning up against it.
Q. How far away?
A. A hundred yards.
Q. Trees between that and the slaughter house?
A. On each side of the roadway leading to it.
Q. Was there a roadway leading to it?
A. Yes.
Q. A wagon road?
A. Yes, from the slaughter house to the pile.
Q. Were there any fences crossing this road you saw leading from the slaughter house to the offal pile?
A. Yes.
Q. How many?
A. Two.
Q. What kind of fences?
A. Wire fences.
Q. Two wire fences?
A. Yes.
Q. Any gates in those?
A. One.
Q. Any gate in the second one?
A. I don't remember; I crawled under.
Q. Did you say that you walked all over this offal pile?
A. Yes, as much as it would hold me.
Q. You did walk all over it?
A. Couldn't very well help walking on some of it if anywhere near it, it was so large.
Q. Wasn't this offal pile burning?
A. No.
Q. Was it burning on the thirteenth?
A. No.
Q. Was it burning on the fourteenth?
A. Not until in the afternoon.
Q. Was it burning all over the top in the afternoon?
A. No.
Q. You say this offal pile was lit, you think, on the fourteenth—or lighted on the fourteenth with fire?
A. Yes.
Q. Could it not have been lighted on the twelfth, eleventh or tenth?
A. No.
Q. In this lard house you say there was a rendering tank?
A. Yes.
Q. A stove under it? Was there a stove under it?
A. I don't know.
Q. Was the rendering tank all set up in place, ready to render?
A. Yes.
Q. All you would have to do would be to go in, pour it in and render it?
A. There were ashes about it and underneath it.
Q. Wasn't the rendering tank knocked off to one side?
A. No.
Q. You are sure of that?
A. Absolutely sure.
Q. This tank had grease all along the side?
A. On the inside.
Q. Clear up to the top?
A. It was around the edge. Dust intermingled with grease.
Q. Anything in the bottom of it?
A. Dead flies; filth.
Q. Anything else?
A. Nothing that I saw.
Q. What is filth; explain that?
A. Why in this slaughter house, it is rotten dirt in this instance and grease.
Q. By dirt, do you mean earth that comes from the fields?
A. Yes, that blows in through the screen doors and onto that greasy tank—unclean, insanitary tank.
Q. This dust, you think, blew in on this grease and lodged there and this made a dirty condition?
A. Yes, along with the dead flies.
Q. Do you know why those flies died?
A. Because it was so dirty in there, I suppose.
Q. Died feeding on that dirt? Don't you assume those flies died because they ate that dirt?
A. I am not quite that simple.
Q. That is what you said?
A. No, I didn't.
Q. You say you saw some implement with some tin cans turned over the ends of them?
A. I didn't say tin cans.
Q. Well, cans?
A. I believe I termed them strainers.
Q. Have holes through it?
A. Yes.
Q. How many buckets of lard did you see altogether in that slaughter house?
A. Several.
Q. Did you see some small ones?
A. Yes.
Q. Several of those, too?
A. Yes.
Q. See some large ones?
A. Several.
Q. Taking those two several's together, how many would you have?
A. Quite a number.
Q. Can you describe these bugs with short legs you saw, any more definitely?
A. If you want the definition of an insect, I can give it to you; if that is what you are after. I am no bugologist; at the same time, I can describe that to you, if you want it.
Q. What are those bugs?
A. They had a head, abdomen and a thorax.
Q. About how large were these bugs?
A. Large enough to crawl.
Q. How large are they compared with a mouse or fly?
A. About the same comparison as a jack rabbit to an elephant.
Q. How many cans did you see open?
A. Several of them.
Q. All of them were open?
A. No.
Q. Did you see any living mice in there?
A. No.
Q. You weren't in that lard house on the fourteenth?
A. No.
Q. How many buckets of lard did you say you carried from the room out to the outside?
A. Two or three.
Q. What were the sizes of the ones you carried out?
A. One of them was, I should judge, between 30 and 40-pound bucket.
Q. That was open before you carried it out?
A. Yes.
Q. That didn't have any lettering on it, or labels?
A. I don't remember.
Q. Did the small bucket have any lettering or label on it?
A. I remember it had "Pure Lard" on it.
Q. Letters, "Pure Lard?"
A. Yes.
Q. Did the large bucket have that on it also?
A. I do not remember.
Q. Have you any idea how many hogs there were?
A. Three.
Q. Where were they on the 13th, in the pen?
A. Forty-six feet—about forty-six feet from the slaughter house.
Q. How large is that so-called pen?
A. About five by ten rods.
Q. Does that pen run down to the river?
A. Yes.
Q. Water runs through the edge of it?
A. Yes.
Q. Could the hogs walk down and drink water?
A. Yes.
Q. Any trees standing in the pen?
A. No.
Q. Any shrubbery of any kind?
A. A few little bushes in one corner.
Q. Any weeds?
A. No.
Q. Any grass?
A. No.
Q. You looked at it carefully?
A. Quite carefully.
Q. Did you go all over it?
A. Yes.
Q. Are you sure you didn't see any grass in there?
A. Yes.
Q. Didn't you say a while ago there was no water in either pen—the hog pen or cattle pen?
A. No.
Q. The only place you didn't find any water was in the pen where the cattle were?
A. Yes, sir.
Q. You found water every place else where there were any animals?"
A. Yes.
Q. Now, you say there was a tub in this pen where the cattle were?
A. Yes.
Q. You know that was a galvanized tub?
A. Yes.
Q. Where was it located?
A. In the northeast corner, about ten inches from the fence.
Q. Right up against the slaughter house?
A. Yes.
Q. That was close to the northerly and westerly corner of the slaughter house?
A. No.
Q. How far was it from the northerly fence?
A. About ten inches.
Q. How far from the slaughter house?
A. About the same distance.
Q. That was in that pen where those cattle were?
A. Yes.
Q. Was it not right close to or under scaffolding work?
A. Yes.
Q. Isn't this scaffolding work where they kill the cattle?
A. Yes, sir.
Q. And didn't the cattle drop down through the trap door, into the slaughter house?
A. Yes.
Q. And one can get right out on that scaffolding where these cattle are killed?
A. Yes.
Q. And the tub was right below that?
A. To the side of it.
Q. Below that?
A. Yes.
Q. Did you do anything with that tub?
A. No.
Q. Did you touch it?
A. Yes, I touched it.
Q. What did you do?
A. Looked at it.
Q. When you touched it, what did you do with it?
A. Turned it around; that is all.
Q. Turned it over?
A. No.
Q. Was it setting flat on the bottom?
A. No. It was on the side
Q. Did you say you didn't find any water in that tub?
A. None.
Q. That was on the 13th?
A. On the evening of the 13th.
Q. You got out there about 6 o'clock?
A. About six.
Q. That was the first time on the 13th you were down there?
A. Yes.
Q. As a matter of fact, you don't know whether there was any water in that tub or not on the 13th from your own knowledge?

The Tub Was Dry.

A. I know there wasn't any water in there within a very short time before that or the tub would have shown some resemblance of it: you know as well as I do if water is put in any utensils it will take some little time before it can dry out; the tub was absolutely dry.
Q. A galvanized tub?
A. Yes.
Q. It won't when a tub had turned over on its side?
A. Yes.
Q. This tub was on its side?
A. Yes.
Q. Didn't you testify a while ago this was a sunny day?
A. No, I did not.
Q. Was it a sunshiny day, the 13th?
A. Not after 6 o'clock. On the west side of the slaughter house.
Q. It wasn't on the west side?
A. No, next to the grove of trees.
Q. How far from that—where that tub is set to the slaughter house—to the west?
A. About twenty to thirty feet.
Q. Why did you go down there so early on the 14th.
A. Under direction from Inspector Wallis.
Q. To find out whether they were going to kill the cattle?
A. Yes.
Q. You didn't let them see you down there?
A. I didn't hide myself. The fact of the matter, there wasn't anybody down there to see me.
Q. That was on the 14th?
A. On the 14th.
Q. You got down there about what time?
A. About noon.
Q. You stayed there right through to 6 or 7 o'clock?
A. Yes.
Q. During all this time, there was nobody there to see you?
A. Yes.
Q. When was there anybody there to see you?
A. About 2:30 or 2:45.
Q. At 2:30 or 2:45 did you see someone there?
A. Yes.
Q. Did they see you?
A. You bet.
Q. Who?
A. The butcher.
Q. Know his name?
A. No.
Q. Is he known as John Anderson?
A. I do not know.
Q. Do you know where that butcher is now?
A. No.
Q. Have you ever heard where that butcher is now?
A. No.
Q. You went right in the slaughter house and talked to this butcher all the time while he was killing those animals?
A. Some of the time.
Q. Did you tell him who you was?
A. No.
Q. Did you say that at the time the inspectors arrived they had killed one beef, one veal and two sheep?
A. Yes.
Q. Where was the other beef?
A. In the pen.
Q. Did they kill that afterward—that day?
A. I wasn't in the slaughter house after that time.
Q. Do you know whether they killed that other beef that day?
A. No.
Q. If that other beef was killed that day, it was killed after the inspectors went down there?
A. Yes—not after he went down, but after I was in the slaughter house.
Q. Wasn't you in the slaughter house with the inspectors after they arrived there?
A. No.
Q. You didn't go in the slaughter house at all that afternoon on the 14th?
A. I certainly did.
Q. I mean after the inspectors arrived?
A. After the inspectors arrived I didn't go into the slaughter house.
Q. You saw this before—you knew up to the time the inspectors arrived, only one beef was killed?
A. Yes.
Q. If only one was killed, the other must have been killed after they got there?
A. I don't know.
Q. Did you say you do not know whether the Misses Irvin went in the lard house or not?
A. Yes.
Q. Didn't it strike you as odd there was only one piece of clothing around there and that was the slicker overals?
A. I didn't give it any thought.
Q. How large a hole did he cut in the paunch when he put his finger in and dragged it over to the platform?
A. Large enough for his two fingers.
Q. He drug it on the platform from which the platform leads?
A. Yes.
Q. Of what is that platform constructed?
A. Cement.
Q. I believe you stated water ran out of that paunch?
A. No.
Q. Didn't you say blood and fluid ran out of that paunch?
A. A fluidy substance; I didn't say water.
Q. A fluidy substance?
A. Yes.
Q. Did you say that the butcher arrived there about 2:45?
A. No.
Q. 2:30?
A. Yes.
Q. What did the butcher do after he got there?
A. Tied up his horse and got out of the rig first.
Q. Then what?
A. Went into the slaughter house.
Q. Then what did he do?
A. Took off his ordinary usual clothing he had on and put on this dirty, filthy stuff hanging on the wall.
Q. Put on the slicker.
A. Yes.
Q. How long was that after he got there?
A. Ten to fifteen minutes.
Q. After he put that on, slicker and overalls, what did he do?
A. Drove that cow up into the killing pen.
Q. How did he kill that cow?
A. Hit her in the head with a sledge hammer.
Q. Where were you at the time?
A. Standing outside, looking into the door.
Q. Did he see you?
A. I don't know.
Q. Had he seen you before that?
A. Yes.
Q. What was the next animal he killed?
A. Veal.
Q. Then what?
A. Two mutton.
Q. Then what else?
A. I don't know.

Evidence of C. L. French.

Charles L. French, father of C. Lee French, was called to testify. He accompanied his son to the premises of the slaughter house on Aug. 14. He is not employed by the pure food department. He said he saw no water in and about the stock pens, but was not allowed to tell what he was told as to this. He went into the slaughter house while the butcher was at work. There were a calf and two sheep lying in the slaughter house with their feet tied. Blood was streaming out on the floor and the flies were flying around. He said he did not go close to the offal pile outside. The stench was strong and he did not care to go close to it. He could see horns, hoofs, entrails and other refuse. There were dead chickens around the yard and the general appearance was not tidy.

The blood was allowed to run over the floor, but he didn't go to the rear of the place and didn't know what disposition was made of the blood. The animals in the pens looked gaunt and were restless. The lard house door was sealed and he only looked in through the screen door. He said there were flies all about the place, but he didn't notice particularly what kind of flies they were.

He saw two or three dead chickens as he walked about in the yard adjacent to the slaughter house. He said he was within 20 to 25 feet of the offal pile. He saw his son get up on this pile and walk over it, but didn't notice whether he walked all over it or not.

John K. White Testifies.

John K. White was the next witness called. He has been a deputy for Mr. Wallis since last April. He visited the slaughter house on Aug. 13, with Wallis and others. There were two cows and three hogs in pens, but saw no sheep. There was no water for them as he could see. He described the visit on Aug. 13. They made a general inspection. Going into the slaughter house they found it not properly screened; the floor was dirty; the tools were not clean; there was dirty water in the hog vat; no adequate protection against flies. The dirty condition of the tools impressed him, he said, the teeth of the saws being filled with decayed flesh and the knives being greasy and dirty. Dr. Smith dug up a lot of bad-smelling refuse from the hog vat and the floor was dirty, with blood clots on it, left there and not cleaned up. The chute was covered with dry blood and other dirt and refuse. On the outside there were dead chickens and on kicking one of these over a number of flies flew out, and he saw maggots. There were lots of flies in the slaughter house—it was full of them, practically speaking. They were large green "blow" flies.

The sense of smell led to the offal pile. The outside of this was caked over, but digging down into it, it was found to be alive with maggots crawling and working about.

He described the lard house as heretofore described. The rendering kettle had cracklings in the bottom and possibly some lard settlings of previous renderings. Some of the lard was covered and some was not. It was very dirty, had mouse droppings and scratches showing where the mice had been, flies and bugs, dead and alive. The buckets in which the lard was found had the appearance of being new and were labeled with a blue label marked "Pure Lard."

In the slaughter house there was a barrel or tub having dirty water or other substance. Just outside was a barrel or tub containing a substance that looked like blood. It was clotted and very offensive in smell.

He made another inspection on the next day. The butcher was in the act of dressing a beef just killed. The slaughter house was in about the same condition as on the day before except there were piles of offal lying near and that from the cow just being dressed was lying just under it. He took the knife he was using and stuck it into the paunch. The gases escaped up into the animal he was dressing and through the slaughter house. He wiped the knife off on his breeches and went ahead dressing the beef with the same knife. The flies were swarming all over the beef, the heart, paunch and intestines of the animal, and the blood, manure and refuse was flowing across the floor and down the chute into the river.

He said the place had been sealed. He went back on Sunday and found the seals broken and the place given a cleaning up.

Cross-Examination of White.

On cross-examination he said he did not personally make a close, rigid examination.

Q. Was there dust all over the floor?
A. Yes, sir.
Q. Looked like it hadn't been swept for a long time?
A. Yes, sir.
Q. Just the appearance of dustiness?
A. Yes, with the appearance of blood that had been left to dry and had not been cleaned up.
Q. And you saw lots of flies in there?
A. Yes, sir.
Q. You were in the lard house?
A. Yes, sir.
Q. You saw some lard buckets?
A. Yes, sir.
Q. What sizes?
A. There were three sizes.
Q. What else did you see?
A. The first I saw was a scampering of mice; then the dirty, greasy floor, and then the dirty rendering kettle.
Q. How many mice did you see?
A. I couldn't say.
Q. The floor was covered with grease?
A. Yes.
Q. It was soaked with grease, wasn't it?
A. It looked like it.
Q. Would you say that all around the slaughter house there were big, green flies?
A. Yes, sir.
Q. You especially noticed the flies?
A. Yes, sir.
Q. You say the buckets were marked "Pure Lard"?
A. Yes, sir.
Q. If you should open it up you wouldn't call it pure lard, would you?
A. Certainly not.

He said the thing that impressed him most was the big green flies blowing all about the place

On Sunday the 18th the floor of the slaughter house had been fairly well washed; a board had been nailed on the bottom of the screen door; the yard had been cleaned; there were no dead chickens; the trough to the river had been cleaned; the tub under the killing platform had been cleaned of its blood; the old hog skins and a hog's head lying there had all been cleaned up. This was about 6:30 that morning.

On the 14th the butcher used about two buckets of water in an attempt to wash up the floor. On the 18th the piles of hay and weeds and the dead chickens had been cleaned up. The offal pile was still burning. The seal had been broken and the slaughter house opened up. The seal on the lard house was broken and several buckets of lard taken away.

WAGON IS STRUCK BY A STREET CAR

Struck by a south bound Eighth street car at 9 o'clock this morning at Eighth and Jefferson streets, the vegetable wagon driven by Joe Maruny was broken in two, one of his horses received a bad cut on the leg and the contents of the wagon was scattered over the pavement while Maruny held to the horses and escaped unhurt, although for a few minutes he was thought to be in a dangerous position.

When the accident occurred Mr. Maruny was driving south on Eighth street and not hearing the approaching car, which he declares did not sound the gong, attempted to drive diagonally across the street. When he reached the track the crash came. The wagon gave way in the center and went down and while the frightened horses began plunging they were held by the driver until quieted down.

Dentist, Dr. Carpenter, Idaho Bldg. tf

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