French Government Takes Drastic Action in the Big Strike.

PREMIER DECLARES IT INSURRECTION

Paris, France, Oct. 13 -- The Franch government is meeting the railroad strike situation with a firmness that challenges the admiration even of those who sympathize with the men in demand for a minimum wage scale of a dollar a day.

This morning five strike leaders This is in fulfillment of premier Briand's promise to punish the agitators, who, he declared, had precipitated an insurrectionary movement at the very hour when negotia-tions for a peaceful adjustment were being conducted.

Other Ronds Tied Up. Employes of the Paris, Lyons & Mediterranean system went on a strike this morning and the Eastern road is badly hampered, but many trains are being operated on the former system. The hope of the railroad strikers rests largely in the prospect of sympathetic strikes. Bricklayers and pavers have voted a general strike, beginning today. Unions of other trades are meeting and expressing similar intentions.
Rain Adds to Discomfiture.

Suburbanites by thousands were further inconvenienced today by a deluge of rain which made many roads leading into the city impassible to pedestrians. As a consequence, many falled to reach offices and stores and the business of the city is upset. A number of acts of violence are reported from the provinces, but strikers disclaim responsibility. The coal mines at Courrieres dismissed 4500 employes today because of inability to

Much Destruction Wrought. Much Destruction has been wrought on the western system, where the strikers and their supporters have held up and derailed trains, blocked tracks, destroyed signals, ripped up rails and cut telephone and telegraph wires. The government has ordered the arrest of a score of strike leaders and instructions have been issued to the troops to use severe measures wherever occasion

Losses Tremendous.

The losses to commerce already are tremendous. Scores of trains have been stalled along the roads, many of these carrying food supplies which have become unfit. The passengers on the steamship Oceanic, who took the train at Cherbourg or Parks, are blocked at

Many Americans have pelled to remain in this city or to pay fabulous sums to reach the coast, so that they might embark for England. Seven hundred sacks of American mail now being transported from Havre to Paris up the river, and the French steamship line will employ a tug to convey the passengers for the steamer La Touraine, sailing on Saturday.

COMMITTEES BUSY GIVING HEARINGS

The Constitution Makers at Santa Fe Consider a Puzzling Question.

Santa Fe N. M., Oct. 13 .- There having been no session of the constitutional convention yesterday, the committees were busy with hearings or discussing such interesting questions W. V. S. Thorne, New York; Marvin as woman's suffrage, prohibition, elec-tive or appointive judiciary, length of Pittsburg. term of office for state officers, reelection of state officers, etc. The following bill has been introduced:

File No. 15, with reference to school children. Introduced by I. Armijo, of Las Cruces. First reading-Referred to committee on education.

It shall be unlawful for any school director, school board, ol superintendent or teacher to make any distinction whatsoever on account of or by reason of, the race of any pupil or scholar who may be in school laws of this state.

Section 2. The legislature shall pass such laws as are necessary for carry- granting general amnesty to all milling into effect the provisions of this tary and naval offenders.

No Division of Counties It has been tentatively decided by the subcommittees that there shall be no division of counties and that they shal remain in the state as now divided in the territory; that legislature employes shall be few and salaries moderate; that state officers shall be few, that holders of offices shall be not under 30 years of age and shall have resided in New Mexico at least five years and cannot serve more than one term in the same ofice.

JUDGE AND JURYMAN IN MURDER TRIAL BECOME ILL

Quanah, Tex., Oct. 13.-The state rested in the Howard murder trial this morning after examining eight witnes-ses. Presiding judge Huff and a memsick and the case was adjourned till

President Braga, Of Republic Of Portugal



Provisional president Braga of Portuic. President Braga, on the second day after the uprising drew up the new government's policy to "introduce a pure, progressive administration within the republic and to consolidate on a moral d political basis, the good relations of Portugal with foreign nations,"

First Anniversary of Ferrer's Execution Passes Without Bloodshed.

Medrid Spain Oct 13.-This is the first anniversary of the execution of Prof. Francisco Ferrer, founder of the Modern school at Barcelona, who was convicted of having conspired against he government and brought about the rebellion in 1909. The day has been dreaded by the

authorities, as the republicans planned demonstrations that might easily have ead to bloodshed. Up to early afternoon no untoward

authorities who had orders issued that Mexican statesman was asked. any revolt must be put down merci-

Throughout Spain troops were held Ferrer's tomb-were denied.

INCREASES CAPITAL TO

Oregon Short Line Reelects Old Directors With One Exception.

Salt Lake City, Utah, Oct. 13 .- At the nnual meeting of the stockholders of the Oregon Short Line railway held in this city today it was unanimously voted to increase the capital stock of the corporation to \$100,000,000.

The old board of directors was re-Hughitt, of Chicago, was chosen to succeed P. A. Valentine.

The following were elected directors: Oliver Ames, Samuel Carr, Oliver W. Mink, Boston; Gorden L. Buck, Alex Miller, Wm. Rockefeiler, J. H. Schiff.

SWITZERLAND RECOGNIZES REPUBLIC OF PORTUGAL

Lisbon, Portugal, Oct. 13 .- The provisional government has received telegrams from president Comtesse, of Switzerland, announcing that government's recognition of the Portuguese republic. The British minister, sir Francis H.

Villiers, today handed the premier a note, stating that Great Britain would attendance upon or seeking admission recognize the republic as soon as it to any public or common school, main- was convinced that the revolution was tained wholly or in part under the absolutely ended and affairs in Portugal were in a normal state.

The government has issued a decree

**** ROOSEVELT GIVES BOOST

TO SENATOR BEVERIDGE Veedersburg, Ind., Oct. Theodore Roosevelt opened his one day campaign in Indiana for senator Beveridge today with an emphatic endorsement of him as a man who stands for what Is good in American public life. Col. Roosevelt also endorsed Reverlige's stand in favor of

a tariff commission. ****

CATTLE IMPORTATIONS. A shipment of 28 cars of cattle ar rived at the port Wednesday night and They were consigned to made entry. the Southwestern Stockyards company.

KANSAS BANK YIELDS ROBBERS JUST \$39.35

Coffeyville, Kas., Oct. 13 .- The Liberty State bank of Liberty, five miles north of here, was robbed of \$39.35 early this morning. The robbers forced an entrance to the bank vault, but the bank's funds were in a large safe

outside the vault. This safe was namolested. The robbers escaped after firing a few shots to Intimidate the citizens.

So Declares Former Mexican Ambassador Casusus in El Paso.

SAYS CREEL WOULD NOT HAVE POSITION

That the selection of Ramon Corral for the vice presidency of the republic of Mexico, under peculiar conditions was the selection of a successor of Porfirio Diaz, is the opinion of Joaquin Casusus, exembassation of Mexico to the United States, who passed through the city Thursday morning en route from San Antonio to Los Angeles.

"There is no probability of Enrique Creel, present minister of foreign re-lations in president Diaz's cabinet, succeeding president Diaz," said senor Casusus replying to a question. He said he had not seen the published opinion of Juan Terrazas regarding the probability of Mr. Creel succeeding the president, but he regarded it as out of the question for the reason, if for no other, that Mr. Creel would not even consider the presidency. "Mr. Corral and Mr. Creel are such

close friends that Mr. Creel would not consider an office which is considered as belonging to Mr. Corral," said Mr. Casusus in answer to the question why Mr. Creel would not consider the presi-dency. The answer of Mr. Casusus is the answer in a nutshell of the administration party to any proposition that does not include Mr. Corral, the present vice president as the next presi dent of Mexico after Diaz.

Corral the Heir Apparant.

The conservative element in Mexican politics regard the vice presidency of Mexico as the property of Ramon Cor-ral, the only qualification being that he shall not take active charge of the ship of state until the death, of Porfirjo Diaz. Ramon Corral is the heir apparant to the Mexican presidency and Enrique Creel, however popular with the masses of the Mexican people, would not presume to look with longthe place distinguished by Diaz's occupancy.

"Mr. Corral is the vice president therefore he will be the successor to president Diaz," was the answer of Mr. Casusus, and that is the creed of the onservatives in Mexico politics. Beyond that they will not discuss any eventuality. Again and again Mr. Casusus repeated the statement as a priest repeats a ritual.

Says Creel Would Not Accept.
"If at the end of the present term of Up to early afternoon no untoward incident occurred. This was due principally to the firm attitude of the would not he accept," the distinguished "No, he would not. He could not con-

in their barracks, ready for instant intimate friend of the vice president tions by men offering \$5 per day for The danger of rioting ap- and, therefore, he will not allow himpeared greatest at Barcelona, where self to be opposed to Mr. Corral," Mr. processions and manifestations at Casusus replied to the question why for the vice presidency.

if the people of Mexico want HUNDRED MILLION DOLLARS Mr. Creel for president after president Diaz, would be place his friendship for vice president Corral before the desires of the people," the exambassador "Yes, I am sure he would," was the

reply. Pays Compliment to Creek.

Regarding Enrique Creel as one the first men of Mexico, among the ablest of Mexican diplomats, Mr. Casusus does not see anything higher for elected with the exception that Marvin He agreed with Gen. Harrison Gray Otis in the latter's generous conception of the high talents and mental equipments of the minister of foreign relations, but as the presidency, Mr. Casusts shrugged his small shoulders in the Latin fashion, meaning that the question was beyond the bounds of

> Is Now Private Citizen Mr. Casusus was Mexican ambassador to Washington in 1905, and was at one time a senator in the Mexican coness. He says that now he is nothing ore than a 'private citizen." By prossion he is a lawyer and is the repsentative of the Southern Pacific of exico. In stature he is small and and has a predominating fore-indicating a high degree of in-

ARMY ENGINEERS VISITING THE DAM

The board of army engineers is at Elechant Butte. They arrived at Engle Wednesday night at 11 oclock and spent the night there, leaving Thursday by stage for the dam site. Phursday night they leave by way of the Belen cut-off for the Pecos valley, panied by L. C. Hill, supervising ngiffeer, and W. M. Reed, district enof the reclamation service. W. H. Frankland, chief clerk at the local offices of the service, is also with the

RECLAMATION ENGINEERS

SECURING DATA ON RIVER H. W. Yeo, junior engineer of the eclemation service, has returned from an expedition to the headwaters of the Rio Grande in New Mexico, where he obtained data on the water sources of he river and on the volume of water that is benig taken from the river at | and car line by Hart's mill. The city the present time for irrigation pur-J. A. French, who is in charge of another section of the expedition in colorado for the same purpose is still in the field. His data will be combined with that obtained by Mr. Yeo's parts and will form a general report on ditions in the Rio Grande watershed.

YSABEL'S RODY TAKEN HOME

The body of former governor Ysabel, of Sonora, who died at sea while en route nome from Europe, will arrive in El Paso on train No. 1 Friday morning, accompanied by the family of the dead statesman, and R. H. Ingram, assist ant general manager of the Southern Pacific lines of Mexico, who went to New York to meet the family of the late governor. The body will be taken to Hermosilla, Sonora, Mexico., for in-

BLAST SAID TO HAVE

Reports that a rich vein of gold was discovered by the premature explosion of dynamite at Santa Rosalia, have been brought to Cludad Juarez by a Mexican official who arrived Wednesday. He tells of a report current Tuesday evening that a blast was made on the dam being constructed by Pearson, exposing a vein of rich ore.

The town was in great excitment on the traveler's departure. It was said that two men were killed outright, and a number injured by the blast.

RECOVER EIGHTEEN COMMISSION FORM MINE SHAFT SUBMITTED

During Night, Four More Located.

Starkville, Colo., Oct. 13 .- The bodies of four more victims of the Starkville mine disaster were removed from the first constitutional matter brought to the total recovered 18.

Four more have been located for 24 nours, and may be brought out today, durance of the men engaded, to the

entries by the after damp is receiving credence. Officials declare that every man in the mine met instant death and de-

clare no rescuers have yet reached the extreme entries. The date of the coroner's inquest has not yet been fixed.

MENACING FOREST FIRES IN COLORADO

Town of Sargents in Danger With Fires Surrounding It.

Pueblo, Colo., Oct. 12 .- Forest fires are raging on both sides of Marshall Pass, and the town of Sargents is in danger, according to reports brought here from the western slope by hunting partles.

Meadows and forests on both sides of Sargents are burning flercely. Every available man in the district has been pressed into service, and Denver and "As I have said, Mr. Creel is a very | Rio Grande trains are boarded at stafire fighters.

Fifty additional fire fighters arrived at Miranto this morning to assist in he would not run in the next election | the work of checking the forest fires now raging in the district around Big Chief and Sheep mountains and which have already burned over 30 square miles of timber. The fires were partly under control last night but are again burning fiercely this morning and are now within a few miles of the Pike national forest.

TWENTY SQUARE MILES OF

TIMBER REPORTED BURNED. Washington, D. C., Oct. 13 .- The timper on about 20 square miles of territory in the Rocky mountains west of Denver, has been consumed by the forest fire that broke out in that region according to a telegram received by general land commissioner Bennett from chief agent McEnery at Denver.

The progress of the fire eastward has been stayed, but it is extending in other directions.

SUBWAY PLANNED UNDER RAILROADS

Smelter Road May Run Under Tracks Pending Construction of Viaduct.

The temporary road and street car line to the smelter waten will be built while the new concrete viaduct over the Santa Fe, Southern Pacific and Southwestern lines is in course of construction, will be under at least two of the three railroad tracks and

ander the three if possible City engineer F. H. Todd has inspected the location of the viaduct and has laid out a tentative road for traffic to pass over while the viaduct is being built. This road, which will also be a rightofway for the street car line to the smelter, will leave the main road near the old switch above the present viaduct and will follow the old county road down to the lower level, and will pass under the railroad tracks through an arroya which has been washed by the waters from the mountain and over which the railroad

tracks were built on piles. Engineer Todd thinks that the temporary roadway and car line can be run under at least two of the railroad lines and possibly all three. The road will tie onto the present smelter road engineer thinks that a grade can be obtained in reaching the lower level without a grade too steep for the cars and wagons to pull in coming back to

A consultation will be held between the engineers of the Electric rallway construction company, the railroads and the city engineer, to determine the exact status of each in the construction of the new viaduct. As soon as this has been done and an agreement reached, work will begin on the wrecking of the old wood trestle and the concrete abuttments started.

IT IS DADDY RYAN NOW. A friend here is advised by wire that George B. Ryan, of al Paso, now boasts of a baby boy who came at Los Anwithin a few weeks

Four Removed From Mine President Hunt Announces Committee Appointments at Phoenix.

Phoenix, Ariz., Oct. 13.-The commission form of government was the mine last night by rescuers, making the attention of the convention. It the total recovered 18. was referred to the committee on municipalities.

President Hunt announced the standbut the rescue work is trying the en- ing committees this morning. Ellinwood received no chairmanship. important apointments are F. A. Jones, A persistent report said to have Maricopa, chairman of railroads; Cunemanated from rescuers that 20 or ningham of Cochise, chairman of judi-more were smothered in "L" and "K" ciary; Wills of Pinal, separate subciary; Wills of Pinal, separate sub-mission to which prohibition will be referred; Winsor, of Yuma, of legisla-tive; and Cobb, of Graham, on mines. Prefers To Be a Page.

Yesterday's session was enlivened by an effort on the part of delegate Mulford Winsor, of Yuma, to have the pay of the chaplain cut to \$2 a day and that of the pages from \$5 a day to \$2. He falled. In the debate, delegate Goldwater of Yavapai county, caused a laugh by moving for his own dis-missal as a member of the convention and his appointment as a page. Under the present rate of pay, the pages will receive \$1 more a day than the delegates, as the latter under the enabling act, cannot draw more than \$4 a day. Anti-Saloon League Files Request.

the committee on matters for future submission. The league desires to a gun. have the statewide prohibition propo-sition submitted to the people in the election to ratify the constitution. The list of committees is as follows:

Standing committees for the con ducting of the convention: L. Rules and procedure, 5 members; 2, finance, accounts and expenses, three members printing and clerks of, three mem-Committees for constitution making

l, preamble and declaration of rights, three members; 2, legislative, distribution of powers and apportionment thirteen members; 3, executive, impeachment and removal from office, nine members: 4, judiciary, thirteen members; 5, suffrage and elections, eleven members; 6, counties and municipalities, five members; 7, education and public institutions, five members; state and school lands, five members; 9, public service corporations other than railroads, nine members: 10 private corporations and banks, nine members; 11, railroads, seven water rights, five members; 13, mines and public defense, three members; 16, public dept, revenue and taxation, thirteen members: 17, labor, five members: 18, schedule mode of amending and miscellaneous, five members: 19, ordinance, three members; 29, separate not see him again until in the courtsubmission (matters of), five members; 21, style, revision and compilation, five

TRYING TO FIND OUT ABOUT SHOOTING AFFAIR and said he would surrender when he

Fort Worth Man Shot While in Neighbor's Back Yard and May Die.

Fort Worth, Tex., Oct. 13.-Local police are working today on the mystery of the shooting last night of Lou P Embree, car repairer, in the back yard of the home of S. A. Ward. The man's condition is reported serious. He was wounded, in the back. Ward was arrested, and declares he discovered the victim in the vard acting in a suspicious manner but did not recognize

Both men are prominent in railroad and traction circles here.

POLICEMAN KILLS BURGLAR WHO WAS CAUGHT IN STORE Dallas, Tex., Oct. 12.-An unidenti

fied Mexican, burglarizing an East Dallas store early this morning, was shot and killed by policeman Phillips The officer and a partner named Hauck walked into the store as the Mexican was working about the safe. burglar drew a pistol but the officer shot first, sending a bullet through the Mexican's heart.

0000000000000000000 NINETY INJURED WHEN

STREET CARS COLLIDE St. Louis, Mo., Oct. 13-Ninety persons were slightly injured lided near the aviation field in St. Louis county. A boy, 8 years old, was most seriously injured.

00000000000000000 TEN PELLAGRA CASES AT

DUBLIN UNDER TREATMENT Dublin, Tex., Oct. 13,-The death of Mrs. Eugene Peeples Hasse, near here, yesterday, was caused by pellagra and blood transfusion was resorted to. Ten Mr. and Ars. Ryan will return cases of pellagra are under treatment

REVEALED GOLD VEIN ATTORNEYS SAY UNWRITTEN LAW WILL BE DEFENCE PLEA

Pistol Introduced as Evidence Causes Judge Uneasiness and Is Found to Contain Three Loaded Cartridges. State's Direct Testimony Closes and Defence Begins Introduction of Witnesses.

All doubt as to the defence to be pleaded by John Leech, whose trial on the charge of the murder of E. Kohlberg is in progress in the 34th district court before special judge Patrick H. Clarke was set aside Thursday morning when his attorneys, J. E. Wharton and P. E. Gardner announced privately it would be the "unwritten law." This line of defence, however, has been anticipated by the state. The announcement was made directly after adjourning the morning session of court. Mr. Wharton stating that evidence would be produced showing that "Mr. Leech wasactuated in the affair as the result of c ertain statements made to him by Mrs.Leech."

Mrs. Leech to Testify, Mr. Wharton also announced that Leech would be the first witness on the stand in his behalf and that he would be followed by Mrs. Leech. Leech took the stand in his own behalf shortly after 2 oclock Thursday afternoon. "Outside of five or six witnesses as to the facts," Mr. Wharton continued,

"the balance summoned for the defence will be character witnesses." Mr. Wharton also stated that the illness of Mrs. Leech would not be allowed to interfere with the progress of the case, if it was possible for her to sit up and testify.

Mrs. Leeca has suffered a nervous breakdown and had not appeared in court this week up to Thursday noon. The strain of the case began telling on her last week and she has, it is said, since then been in a serious condi-

State Rests Case.

The state rested its case Thursday afternoon with the exception of rebuttal testimony, which will be introduced following the announcement of the rest by the defence. The introduction of testimony for the state began Wednesday afternoon when Walter Kohlberg, son of Mr. Kohlberg, H. G. Buchoz and J. G. McNary were placed on the stand.

The trial was resumed Thursday morning at \$:30 oclock and adjournment was made shortly after 11 oclock. Leech was accompanied only by his daughter during the Thursday morning trial of the case.

The defence may rest its case Thursday afternoon, according to Mr. Wharton's statement, in the event the cross-examinations conducted by the state are not drawn out. It is said to be the intention of the state, however, to go fully into the case, and in that event, the defence will not be able to conclude its direct testimony until Friday morning. The time to be allotted for argument has not yet been determined,

president Hunt, a request that he ap- the door of Kohlberg's eigar store, on else in his power to assist the prosecupoint two members of its choice upon June 17, when he heard the report of

"Then," continued the witness, "I Stevens stated that an allowance of saw a man come out of the Kohlberg \$100 had been offered Leech as a restore and go rather fast and turn into an opening, leading back of the build- had been made. ing standing where West San Antonio street now runs. I saw the same man emerge from the opening five minutes later in the company of an officer."

Mr. Kerr then identified Mr. Leech as the man he saw running, and also ofwas brought into the courtroom. On the cross examination, Mr. Kerr stated he had known Leech for sev-eral years and that he recognized him when he was brought back by officer Fletcher. He also stated that he did

not go into the Kohlberg store the aft On the redirect examination Mr. Kerr stated he had lived in El Paso for 31

Policeman Tells of Arrest G. E. Fletcher, a policeman, was the next witness for the prosecution, and bers: 12, agriculture, irrigation and he identified Leech as the man he arrested in the rear of the old Eastern and mining, five members; 14 federal Grill cafe on the afternoon of June 17 relations, three members: 15 militia that Leech had a revolver, a .38 or .41 calibre, English manufacture, with a barrel about four and one-half inches Officer Fletcher stated he or long. dered the patrol wagon and sent Leech to the police station, and that he did

> Leech Surrendered. On the cross . examination, officer Fletcher stated that Leech came out of the rear of the old Eastern Grill cafe

Eviction Was Threatened Charles B. Stevens, one of the agents for the deceased El Paso merchant who followed on the witness stand. stated that Leech was the proprietor of the Southern hotel, owned by Mr. Kohlberg; that there was about \$1150 due for rant, including one month in advance, and that on June 17, this year, he telephoned Leech that unless the amount was settled, he would be forced to evict him.

Mr. Stevens also said that the ren had been in arrears previous, and that a year ago last April, Leech told him that if he were evicted he would kill Mr. Kohlberg.

"In April, of this year, Mr. Leech also again said he would kill Mr. Kohlerg if an eviction process was served, Mr. Stevens stated. "You know you would not do that, John." I said.

Yes, I will,' he replied, 'so help me Cod ... Mr. Stevens stated that the rent for the hotel was \$200 per month from De cember 15 to June 15, of each year, and \$150 per month the balance of the year. On the cross examination, Mr. Stev-

He also stated that the amount manded for rent had included \$150 for the time up to July 15, 1910. Receipts Introduced

but that he had, told his brother, Hor

ace B. Stevens.

Several receipts for rent of the outhern hotel, paid by Leech, were introduced as evidence and also a statement of indebtedness on February 24. 1910, amounting to \$685.

Mr. Stevens then denied the implication of the defence that a \$200 credit had been allowed Leech as a result of loss of business due to a fire in the Southern hotel in January, 1909. He also denied that he had taken a great interest in the case, stating that he was a great friend of Mr. Kohlberg

T. S. Kerr, a contractor, was the and that neither he nor H. B. Stevens first witness for the prosecution had subscribed to a fund for the prosecution of Leech and did not know of The anti-saloon league gave its first Thursday morning, and he stated that any plans of that nature. He said, indication of activity by filing with he was within about 20 or 25 feet from however, that he had done everything

On the redirect examination, Mr.

Garner Took Leech to Jail. Officer G. E. Fletcher was recalled and stated that he had given the revolver taken from Leech to officer Lon

Garner was then called and he testified that he took the revolver and Leech to the police station, and first gave the revolver to assistant chief of police W. J. Ten Eyck, and that later ne took the revolver and Leech to justice E. H. Watson's court, swore out the warrant against Leech and laid the revolver on justice Watson's deak.

Lawyer Demanded Rent. R. C. Walshe, an attorney, was the next witness for the prosecution and he stated that during June he was given the account for the rent of the "I went down there on June 17," said

Mr. Waishe, "and presented the ac

count and told him a settlement must be made or he would be evicted. Leech said he could not do anything and complained that all the account was not "I left there about 3:15 and prepared the notice of eviction and for-feiture of lease, which was given to constable Brown, whose return of the

serving of the notice I have."

The notice was then produced in court, offered as an exhibit, and was then read to the jury. Constable Testifies. Deputy constable J. W. Brown was the next witness and he identified the notice of eviction and forfeiture of the lease and stated he delivered it to Leech on June 17. He also stated the

revolver had been laid on justice Watson's desk. "I served the notice about 4:15 on Mr. Leech," Mr. Brown then said, "and next saw him about 5 oclock in justice Watson's court."

Bookkeeper's Statement Omitted. P. W. Still, bookkeeper for Horace B. Stevens, stated that he knew Mr. Leech, who had sometimes rent for the Southern hotel in the office of Mr. Stevens.

"Did Mr. Leech ever say anything about Mr. Kohlberg?" he was then ask-"Yes, on July 20, 1909, he said-" "We object to any statement," the

defence announced. Following a conference between the attorneys for the state and defence, the statement being made to the court, by Mr. Still was not allowed to be

made to the jury and Mr. Still was excused. Watson Identifies Revolver.

Justice E. H. Watson, before whom Leech was taken following the death of Mr. Kohlberg was then placed on the witness stand, and he stated that ens said he did not inform Mr. Kohl-berg of the threats made by Leech, ficer Garner on June 17, that two chambers had been recently fired; there were three empty chambers in the gun, and that there were two or three loaded chambers.

Judge Fears Gun. The gun was introduced in court and handed to attorney J. E. Wharton, one of the attorneys for Leech, who inadvertently held it so that it was pointing at judge Clarke,

point it at me," said the court, hastily vacating the bench. "Nor this way either," said district attorney W. D. Howe, whose request that the gun be unloaded, was hastily

mplied with. It was found to contain two emp-(Continued on Page Eight.)