

A CHAMPION LIAR

Is Harry Orchard, Says Attorney for Haywood.

OTHER SIDE OF THE CASE

Defense Begins Task of Breaking Down Evidence of Prosecution in Court at Boise—Darrow is Sarcastic.

In an address that occupied two sessions of the district court at Boise, Idaho, Monday, Clarence Darrow of Chicago outlined to the jury the defense of William D. Haywood to the charges that he murdered former Governor Steunenberg.

In broad description it is to be a denial of every material count in the testimony of Orchard with a showing that Orchard killed Steunenberg because of a private grudge borne of the loss of a rich share in the great Hercules mine, and explanations of the independent circumstances that tend to connect three co-defendants with Orchard's life and operations.

Haywood will take the stand to make personal denial of Orchard's accusations. Moyer may be called to testify solely to events and circumstances affecting the Western Federation of Miners, but Pettibone will not be a witness in this case. Mr. Darrow explained that Moyer and Pettibone must stand trial for this same crime, and declared that every lawyer knew the danger, whatever the circumstances, of exposing men awaiting trial under like circumstances.

Mr. Darrow denied the existence of the great conspiracy to murder alleged by the state with Orchard's testimony as a basis; denied that the federation was anything except an earnest fighting labor organization.

"Harry Orchard," said Mr. Darrow, "was a cheap soldier of fortune, a shoe-string gambler who had not even done a day's work in his life."

"We don't think that Orchard was at the Bunker Hill and Sullivan mills. We will show that he was not there and we will show that he was engaged in his favorite work of gambling with the easiest mark he could find. We will show that he did not participate in most of the crimes of which he has here boasted. I don't like to take any of the bloom off a peach like that, but while we will show he is not the murderer he boasts himself, we will compensate him by proving him to be the most monumental liar that ever existed."

"Before our first witness leaves the stand, gentlemen, we will convince you; we will convince Mr. Hawley himself that this man Orchard has lied out most of the essential points of his story. We will have from twenty-five to thirty witnesses who will take the stand and contradict this man absolutely. Some of these will be miners, but others will be eminently respectable people who have never done a day's work in their lives."

Here, as at other points in his speech, Mr. Darrow's sarcasm caused wave after wave of laughter. Sometimes the bailiffs had to rap for order.

Mr. Darrow briefly sketched the wanderings of Orchard as related by the witness. Orchard remained in the Couer D'Alenes, he said, trying to regain possession of his one-sixteenth interest in the Hercules mine until he was driven out by fear of arrest and confinement in the "bull pen."

"Then he wandered from place to place, seldom working," said Mr. Darrow. "He was a sort of gentlemanly miner who mined the miners. In 1892 he turned up in Cripple Creek. But from 1899 to 1903 this important personage in American history, is all except lost to view. Pretty certain, however, that during that time he could have been found in the back room of some saloon, gambling."

"If Orchard today held his one-sixteenth interest in the Hercules mine, he would be worth half a million dollars; but I think he'd rather have what he's got because it is more valuable to the newspapers."

"That story about the Bradley house was another of Orchard's pipe dreams thrown in to make him the greatest criminal of the age. We have a deposition from Mr. Bradley in which he says the house was wrecked by gas; that he smelled the gas and that when he lighted his cigar the explosion occurred. Orchard never blew up the Bradley house, and I tell you this without having any special intention of defending Harry Orchard."

FIRST BALE RECORD BROKEN.

Farmer in Hidalgo County, Texas, is Candidate for the Blue Ribbon.

Cleveland & Sons, at Houston, Texas, received the first bale of the new crop of cotton Thursday night by express from E. M. Ruthven, of Run, Hidalgo county. Last year the first bale arrived July 6, and the earliest bale heretofore was June 22, 1901.

JUDGE LOVING ON TRIAL.

Man Who Avenged Dishonor of His Daughter Arraigned in Virginia Court on Murder Charge.

The trial of former Judge W. C. Loving for the murder of young Theodore Estes, the sequel of a buggy ride which Estes took with Loving's daughter, moved rapidly at Houston, Va., Monday, and when court adjourned in the afternoon the prosecution had rested and the defense had begun its case. The progress of the trial was remarkable. Before adjournment of the morning session, a jury had been secured, mostly middle-aged men and all but three of them married; eleven of them being farmers, the lone exception being a merchant. The taking of testimony began upon the reconvening of court, and late in the afternoon the commonwealth rested its case, and Judge Loving, whose defense is the unwritten law, had taken the witness stand in his own behalf. The widespread interest in the case was manifest. A large crowd was present, but perfect order was observed.

The trial eclipses in interest and sensation the McCue and the Strother-Bywaters case in Culpeper. Judge Loving, armed with a double-barreled shotgun, instantly killed young Estes, while he was unloading a car of fertilizer in Oakridge, on April 22, following a buggy ride on the evening before of Estes and Miss Elizabeth Loving, the nineteen-year-old daughter of Judge Loving. The girl, when brought home, had been drinking, and it is alleged that her escort had maltreated her. Acting under the impulse that his daughter had been drugged and assaulted, Judge Loving immediately went in search of Estes. After the shooting he said: "I shot to kill. Every drop of blood in my body called for vengeance. I would have gone a hundred miles to kill him."

The trial is one of the most interesting in the annals of criminology in Virginia. Judge Loving, a politician, a man of wide prominence, a former jurist, had the unique distinction of standing at the bar on trial for his life in the same court over which he himself presided for a number of years, when an indictment of murder in the first degree was returned against him last month at Lovington. On that occasion a change of venue was granted on account of the bitter feeling existing in Nelson county, Judge William H. Barksdale of Halifax county, who had been designated by Governor Swanson to try the case in the place of Judge Bennett T. Gordon, who declined to sit on account of personal feelings existing between himself and Judge Loving, transferred the case to Houston, the county seat of Halifax.

The history of the case itself is interesting because of the obscurity that surrounds the main points at issue—whether or not Judge Loving was justified in taking the life of the young man whom he believed to be guilty of a grave crime against his young daughter.

On this point, as on the ultimate outcome of the trial itself, Nelson county is split in twain. The social prominence of the two families involved conduces greatly to the strain upon the feelings of the rival factions, the political aspects of the case bending the minds of the populace as one side or the other gains the ascendancy.

TEXAS BARS CONSUMPTIVES.

Will Quarantine Persons Suffering Acute Stage of Disease.

All persons suffering from tuberculosis in an advanced stage are to be quarantined upon entering Texas. Dr. Brumby, state health officer, has stated that within a few days he would issue a proclamation establishing a rigid quarantine against all persons afflicted with the disease in an acute degree.

RUSS SOLDIERS ON STRIKE.

Trouble Breaks Out Among Czar's Troops Stationed at Kaluga.

Trouble has broken out among the troops stationed at Kaluga, Russia. General Orloff left St. Petersburg hurriedly Wednesday night to take charge of the garrison at Kaluga. No information is available as to the nature of the trouble, a strict censorship on press dispatches having been instituted since the dissolution of the duma.

AGREEMENT FALLS THROUGH.

Pressmen Repudiate Compact Entered Into With United Typothetae.

The International Association of Printing Pressmen at its convention at Brighton Beach, N. Y., by a vote of 102 to 93, repudiated the five-year agreement with the United Typothetae of America, which was entered into on January 18 last. This agreement affected 19,000 pressmen in book and job offices throughout the United States.

STATE CLOSES CASE

Defense in Haywood Trial Will Now Have Inning.

ORCHARD CORROBORATED

Prosecution's Closing Day Brought Out Some Strong Points Against Haywood—Negro Was One of the Witnesses.

When the state closed its case at Boise, Idaho, Friday, against Haywood, charged with the murder of Frank Steunenberg, the defense made an unsuccessful attempt to secure from the court an order directing the jury to acquit the prisoner. Judge Woods' ruling, which requires the defense to meet with evidence the case that the state has presented, was made at 5:15 o'clock, and it was then arranged that Haywood's counsel should make their opening statement and present their first testimony on Monday.

When the trial opened Friday morning, it was stipulated that the record should show that the date of the draft sent by Haywood to Jack Simpkins late in 1905 was December 21, and after that the prosecution proceed to show by a handwriting expert that George Pettibone, using the names of "J. Wolf" and "P. Bone," made two remittances of money to Harry Orchard at San Francisco, through the Pacific Postal Telegraph company, in the fall of 1904. The state next called Jim Seahorn, a colored horse-trader, who swore that he sold a horse and buggy to Orchard in Denver in 1905, and identified Haywood as one of the men who rode with Orchard.

So far, many statements made by Orchard on the stand have been corroborated. He told of the houses he visited and the rooms he occupied in San Francisco; he told of experiments with the peculiar bomb which, he says, was invented by Pettibone; he told of receiving money from "Pat Bone," who, he said, was Pettibone; he told of the poisoned milk; he described his plans to blow Bradley and possibly his whole family to their death with a bomb loaded with dynamite; he gave his hotel address and each statement has been corroborated by witnesses whose testimony has not been successfully assailed in their cross-examination.

The state has contented itself with bringing before the jury the story of the blowing up of the concentrator at Wardner, where Orchard lighted one of the fuses that caused the death of two men.

The state commenced its strong corroboration of his story from the time of his connection with the Miners' Union in Colorado and the outbreak of the great strike at Cripple Creek.

The Vindicator mine netted the murderer two men. He told how the powder was stored and where, and how it was fired by a pistol exploded by the lifting of a guard rail to which a wire was attached.

The explosion of the Independence depot, confessed to by Orchard, as having been planned and executed by him, resulted in the death of fourteen non-union miners.

Orchard said he hunted Governor Peabody by bomb and gun and both the former governor of Colorado and his daughter have testified to incidents described by Orchard. The attacks on Peabody were failures, but the man who made one of the bombs described by Orchard has been found and the bomb itself has been traced to the place where Orchard said it would be found.

Orchard told of planting a bomb at the gate of Judge Goddard in Denver. This associate justice of the supreme court of Colorado has testified himself to the finding of the bomb after Orchard made his confession exactly where Orchard said he placed it.

Orchard said he planted a bomb to kill Judge Gabbert, another justice of the supreme court of Colorado. Judge Gabbert escaped, but the bomb exploded and killed a passer-by whom Orchard described as "an innocent man."

Orchard has been traced through Colorado, Montana, Washington and Idaho up to the gate of Governor Steunenberg's residence, where, on December 30, 1905, his last fearful crime was committed and Frank Steunenberg was killed.

MATTER OF KEEPING FAITH.

Alabama Solon Says Bankhead Should Be Elected by Legislature.

President Pro Tem Thomas of the Alabama senate, has stated in an interview that the legislature would have to elect Bankhead to the senate to keep faith in any sort of way with the people. He intimated that any move to defeat the wishes of the primary would be met with disaster to the man who leads it.

WOMEN WERE TARGETS

In Gory Conflict Over Wine Question Between the Troops and Populace in the South of France.

Owing to the fact that the censorship is in operation in the south of France, only brief items of news from the scenes of the wine-growers' demonstrations had reached Paris up to early Thursday afternoon. These, however, showed that the conflicts which have taken place between the troops and mobs were more sanguinary than at first supposed.

At Narbonne three persons were killed and fully a hundred soldiers and civilians, including a score of women, are said to have been wounded, several of them sustaining fatal injuries. The troops, who were to fire in the air, shot straight at the mob. A whole army corps has been put in motion to deal with the rebellious wine-growers, but the government claims that the forces now are so distributed as to isolate different sections and render it practically impossible to effect a general mobilization of the dissatisfied people.

It was announced that the state banquet, which was to have been given in Paris Thursday evening in honor of the king of Siam, had been countermanded, owing to the bloodshed in the south of France.

The president's decision created some excitement, as it emphasized the gravity of the situation.

The newspapers report an attempt to burn the subprefecture at Narbonne. A mob piled straw at the gates and set fire to it. Gendarmes fired from the upper stories and the attackers fled.

It is also announced that there has been further shooting in the streets of Narbonne and many persons have been wounded.

Narbonne is described as presenting a remarkable spectacle after the night's battle. The paving stones used in the assault on the troops encumber the streets, the walls are marked with bullets, windows are broken and the cafes are wrecked, the furniture having been used for building barricades.

Broken bottles, used as clubs, litter the streets everywhere. Many of the wounded are suffering from shot wounds, and saber gashes or from fractured skulls or limbs.

There are no signs of danger abating, but the overpowering military keeps the people from assembling in large numbers.

Many wine-growers continue to pour into Narbonne from the country districts, and threaten to set fire to the hotels occupied by the army officers.

In the chamber of deputies Thursday morning, after a tumultuous scene during which Premier Clemenceau was addressed in insulting terms, an interpellation of the government on its repressive measures towards the wine-growers was postponed until Friday, when the fate of the cabinet may be decided.

JAP AMBASSADOR'S BREAK.

Aoki Angers Roosevelt by Demanding Indemnity for 'Frisco Affair.

A dispatch to the Record-Herald, Chicago, from Washington, says:

Viscount Aoki, the Japanese ambassador, has incurred President Roosevelt's strong displeasure because of his lack of delicacy and discretion in conducting the negotiations relating to the San Francisco attacks on Japanese. Aoki's recall is due to three things:

Being out of favor with President Roosevelt. Marrying a German woman (which made him unpopular in his own country) and not getting full social recognition from the members of the diplomatic corps in Washington.

Before the president left for Oyster Bay the Japanese ambassador talked with him about the attacks on Japanese in California and about the destruction of their property. Aoki diplomatically hinted that the United States should pay indemnity to Japan for the San Francisco mob outrages.

President Roosevelt remained silent, and mistaking this silence for acquiescence in the suggestion, the ambassador made a definite proposition that the United States pay an indemnity.

There was no mistaking the president's attitude then. He forcibly expressed disapproval of the proposition and dismissed the ambassador with advice to conduct his negotiations in future with the state department.

Secretary Root was informed of the incident and immediately changed his demeanor toward the Japanese ambassador.

WINE WAR PETERS OUT.

Situation in South of France Hopeful. Mutinous Troops Repent.

The situation resulting from the wine-growers' movement in southern France which was followed by the resignations, as marks of sympathy, of the officials of many municipalities and by serious rioting and a mutiny of troops, appears to have improved considerably.

BOY WAS MURDERED

Kidnapers in New Orleans Commit Fearful Crime.

FIVE ARE LANDED IN JAIL

Failing to Secure Ransom for Stolen Youth, They Became Frightened and Strangled Him to Death. Excitement Runs High.

A New Orleans special says: Two miles in the interior of a big swamp near the city the headless body of Walter Lamana, an Italian child between seven and eight years old, who was kidnaped and held for \$6,000 ransom two weeks ago, was found by police and vigilants just before day-break Sunday. He had been strangled to death, according to the confession of one of several Italians held by the police.

The boy's neck is supposed to have been broken when he was strangled, causing the head to become separated from the body when decomposition set in. The head was found a short distance from the body.

Five Italians, two of them women, are under arrest, charged as accomplices to the murder, and extra details of police and deputies are maintaining order in the excited Italian quarter of the city. All day long small crowds were dispersed promptly by the police, despite whose precautions a report has gotten out summoning a mass meeting at Elk place. Seventy armed deputies have been placed on guard at the Orleans parish prison, the strongest in the state, where three of the prisoners are held, and some apprehension has been felt over the safety of two other prisoners who have been taken to an adjoining parish.

Seldom since the mafia lynchings, sixteen years ago, has New Orleans been so stirred with threats of violence as now, and some of these threats are made by those who participated in disorders at that time. The law and order element is much stronger than it has been heretofore.

The murdered boy was found near St. Rose, about twenty miles from New Orleans, in a territory which has been well searched with bloodhounds in the past few days. When the dogs failed to locate the boy a "third degree" sweating process wrung a confession from one of the suspects, who was taken from his home in St. Rose about midnight Saturday night, and carried into the woods by a combined force of the officials and vigilants, who have had the search in charge. This man, Ignazio Campicigiano, was kept in the woods an hour, when he confessed, charging four Italians with the murder. He said that about the time of a mass meeting in New Orleans more than a week ago, held for the purpose of prosecuting a search for the boy, these men, who were in a vacant house in St. Rose, became frightened and consulted about what to do with the child. The boy was crying, begging to be taken home to his parents, said Campicigiano, and one of the quartet of kidnapers grabbed the child and strangled him to death to stop his noise. Later, two of the kidnapers came to him carrying the boy in a blanket, and after threatening him with death, if he told, took the body into the swamp.

Campicigiano, after relating this story, led the police by moonlight through two miles of swamp, where the searchers sometimes waded in water nearly waist deep, and at others crawled under tangles of cypresses. In a shallow pool at the end of this search, the body was found in a blanket in a clump of wild cane.

ROAD REPORTED SOLD.

Rumor That the B. & O. Has Taken Over Central of Georgia.

There was a well defined report in Atlanta Monday that the stock of the Central of Georgia Railway company, up to this time controlled through a holding committee, representing the Southern railway, has been acquired by the Baltimore and Ohio railroad, the reason for the transfer being the desire to keep from violating the Georgia law on the subject, the transfer giving the stock to a non-competing line.

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'FRISCO TELEGRAPHIC STRIKE.

Trouble is Only Local and Will Not Effect Eastern Offices.

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STIRS RACE PREJUDICE.

Address of Senator Foraker at Commencement Exercises of Negro University is Deeply Resented.

A Washington special says: From a republican standpoint, a bold political prediction has been made upon Senator Foraker's recent commencement address at Wilberforce university, Ohio's leading colored educational institution, in which he severely arraigned the president and Secretary Taft for their course in the Brownsville, Texas, incident, and urged the negroes all over the country to stand up squarely for their rights and array themselves determinedly against the grandfather clause incorporated in several southern states' constitutions. It has been stated by a man whose political authority that a member of the cabinet, after reading Foraker's speech, ventured this prediction: "If Foraker makes many more such speeches there will be only one political party in the north and the name of it will be the white man's party."

From another source, it was learned that Secretary Taft is greatly chagrined at Senator Foraker for the manner and the tone in which he discussed the action of the president in discharging three negro companies of the twenty-fifth infantry, and it is only by the strongest persuasion of close personal friends that he is restrained from answering the fiery Foraker without delay. In fact, Secretary Taft may yet decide to reply to Foraker while the latter's Wilberforce speech is still fresh in the public mind and before his own overwrought feelings are calmed by lapse of time. Not only does Secretary Taft feel that he is called upon to make a personal defense, but as a member of the administration which has been unprovokedly attacked he owes at least an earnest effort at resistance.

"LET THE HEATHEN RAGE"

Move of Steamship Companies to Ta-booo South Not Feared.

The statement that the principal European steamship lines engaged in carrying immigrants had decided to taboo the south was shown to John A. Betjeman, chairman of the executive committee of the Georgia Immigration Association, and he was asked for his opinion on their action.

In response Mr. Betjeman stated that the action of these two lines was not likely to cause any serious concern to either New Orleans, Galveston or Savannah, as it was definitely understood that a line as strong and aggressive was arranging to take care of both the freight and immigrant business into these ports.

WHO WANTS A RAILROAD?

Efforts Being Made to Dispose of the Central of Georgia Holdings.

The undoubted purpose of the state of Georgia to regulate and control the great railroad corporations, through legislative enactments and executive administration, accounts for negotiations now under way in New York for the sale of the Central of Georgia railroad, and its auxiliary ocean steamship lines. There has developed an undisputed willingness on the part of certain interests to dispose of at least a part of their Central of Georgia holdings.

BOGUS BOOZE IN BARROOMS.

Seizures of Almost Poisonous Concoctions Made at Augusta, Ga.

Acting under the pure food and drugs act, the revenue authorities are making an investigation of goods offered for sale in the barrooms of Augusta, Ga., and have developed the fact that a large percentage of the stuff is heavily adulterated, some of it being graded as almost poisonous. Seizures have been made and the goods turned over to the United States authorities.

MITCHELL NAILS FAKE.

President Used No "Cut Out" Remarks on Georgia Day.

"If the president told any speaker to 'cut it out' at Jamestown on Georgia day, I did not hear him do so," says W. N. Mitchell of Atlanta, president of the exposition commission of Georgia.

"I am certain that such words were not used by the president at the reviewing stand. I presented the president, taking just two minutes and forty seconds to do so. The president then followed with his address."

DEADLY CRASH OF TRAINS.

Seven People Reported Killed and Eight Hurt on New York Central.

Four persons are known to have been killed, three more are thought to be dead, and eight were badly injured in a wreck about 11 o'clock at night about a mile east of Pittsford, N. Y., on the Auburn branch of the New York Central. The train was No. 230, going east. It met a freight head-on.