

The advertiser who quits adv. because of one failure meets the same fate as the fellow who quit eating when attacked by dyspepsia.—Rusty Mike's Diary.

If you have an idea that you know all there is to be known about advertising, the first thing you ought to do is forget it.—Jim's Junk.

RELEASE OF HAYWOOD TO CHANGE OF MURDER CHARGE

Opening Statement of Clarence Darrow, in Which He Promises to Convince Counsel for the State.

Taking of Testimony Begins This Morning and Will Not Last Over Seven or Eight Days.

Boise, Idaho, June 24.—In an address that occupied two sessions of the district court today, Clarence Darrow of Chicago outlined to the jury the detailed plea and defense of William D. Haywood to the charge 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 by Orchard to a rich share in the great Hercules mine, and explanations of the independent circumstances that tend to connect the three co-defendants with Orchard's life and occupation in the Hercules mine, and that after Simpkins himself had cashed the check for that amount in Denver, he gave Haywood \$100, with the request that he mail the amount to him at his home in Spokane.

Existence of Conspiracy Denied. Mr. Darrow denied the existence of the great conspiracy which he lost by the state with Orchard's testimony as a basis; denied that the federation was anything but an earnest fighting labor organization with higher wages, shorter hours, tolerable working conditions, and the safe and safety and education of its members and their wives and children as its high and only motives; denied the intimacy with the three co-defendants that Orchard laid claim to; denied the several conferences and conversations that Orchard swore to; denied that Orchard had even committed many of the crimes he had boasted of; and promised to make proof of his contentions with many of the men named by Orchard when on the stand and many witnesses of credible character not connected by any tie with the federation or its leaders.

Charges Made by Defense. Mr. Darrow charged that agents of the Mine Owners' association of Colorado and the Pinkerton Detective association had joined hands in a conspiracy to discredit and destroy the Western Federation of Miners. Agents of the mine owners had, he asserted, committed many minor crimes to discredit the federation and its leaders, and that the defense would show that it was a reasonable inference that they engineered the Independence depot outbreak.

CLARENCE DARROW'S STATEMENT IN BEHALF OF THE THREE DEFENDANTS

A great crowd gathered this morning in the room where William D. Haywood is on trial, to hear the speech of Clarence Darrow, of Chicago, outlining the purposes of the defense in combating the evidence put in by the state. The formalities of opening the session at an end, Mr. Darrow at once took up his plea directly in front of the twelve solemnly instructed men in the jury box and began in the slow, melodic characteristic of his, to state the theory and plan of the defense to be offered for his client. Mr. Darrow reminded the jury of the instruction given them by the court that they are to keep their minds entirely open as to the guilt or innocence of the accused, and until all the evidence from both sides has been introduced.

Theory of the State. "You have listened to the theory and the evidence of the state," Mr. Darrow proceeded. "Mr. Hawley has covered a wide ground in his opening for the state and we will have to meet him step by step. The defendant here is charged nominally with the murder of former Governor Steunenberg. There had to be some nominal charge. But the state has told you the case rests upon a giant conspiracy which the defendant among others is a part. "The state's attorney has told you the murder of Governor Steunenberg was an incident. It was unfortunate, but most people have to employ lawyers at some time or another.

TENEMENT HOUSE COLLAPSES IN NEW YORK AND NINE PERSONS ARE MISSING

New York, June 25.—A four-story building at the corner of Lafayette and Walker streets collapsed at an early hour this morning. The police announced that eighteen people, members of the Italian families, were in the building. Seven are known to have escaped, two have been rescued, and nine are supposed to be still beneath the ruins.



The Home Coming of the Hero.

POWER OF LORDS TO BE CURTAILED

Premier Campbell-Bannerman Moves His Resolution in the British Commons.

London, June 24.—Premier Campbell-Bannerman today moved his resolution curtailing the power of the house of lords before the fullest house of the session. The galleries also were crowded, those present in that part of the house of commons including many peers.

Merely at a Test.

The resolution itself, even if adopted, would not have the effect of law or procedure. It is merely a test of the government's determination to exercise its discretion as to when it should be introduced. His majesty's ministers have decided to test the opinion of members and make sure that they have the house of commons behind them.

SIDEWALK COLLAPSED.

San Francisco, June 24.—Four persons, one from Oakland, were injured today, one of them seriously, by the collapse of a temporary sidewalk on Market street, between First and Fremont. The injured:

F. M. Kaiser, badly bruised and possible internal injuries. James Peterson, badly bruised. Miss M. McElroy, badly bruised. The sidewalk extended over an open basement fifteen feet deep, into which twelve persons passing at the time were precipitated. All were badly shaken up, but with the exception of those named no one was badly hurt.

WRECK ON SANTA FE.

Oklahoma City, June 24.—Southbound Santa Fe passenger train No. 465 ran into a freight train that was taking a siding as it entered the yards at Perry, Okla., at midnight last night. The engine and several coaches are reported to have been derailed and a number of persons badly injured, but no one was killed.

TORNADO IN MICHIGAN.

Kalamazoo, Mich., June 24.—A tornado struck Recreation park here early today and wrecked a row of horse stalls, killing three valuable race horses. William Widener, aged 36, was killed by coming in contact with a live wire.

TORNADOES HIT TOWN IN KANSAS

Six Persons Injured and One Missing at Medicine Bow, Home of Senator Long.

Medicine Lodge, Kan., June 24.—Three distinct tornadoes struck Medicine Lodge late last night, destroying twenty-five houses in the north part of the town. Six persons were injured seriously and one is missing. So far as known no lives were lost.

Missing.

Mrs. Bell, an aged woman. Injured. Mrs. May Lyle, internally, may die. J. R. McCoy, ribs broken, skull injured. Miss Mary Griffith, internally. Mr. and Mrs. J. T. Saury, bruised.

Wind, Rain and Hail.

The first tornado struck Medicine Lodge, which has a population of about 1,000 persons, shortly after 7 o'clock Sunday evening, destroying telephone and telegraph wires, which shut off communication with the outside and causing much damage. Later two other tornadoes struck, completing the damage done by the first. The third storm appeared shortly before midnight. All three came from the northwest and were accompanied by a terrific fall of rain and hail, which damaged crops.

Senator Long's Family Escaped.

The greater part of the damage sustained in Medicine Lodge was in the northern part of the town. The residence of United States Senator Long was slightly damaged. The Long family escaped injury. The residence of Ralph Paxson, senator Long's secretary, was demolished, but the family escaped. Other property damaged includes the gymnasium and the Santa Fe round house.

FEROCEOUS FRED FUNSTON

Did Not Mean Labor Unions or Strikers by His Reference to "Unwhipped Mob."

San Francisco, June 24.—General Funston, whose letter to the Fourth of July committee refusing to parade the regular troops under his command because he feared trouble at the hands of the "unwhipped mob in San Francisco," has led to considerable comment and criticism. He said that by his reference to the "unwhipped mob" he did not mean the labor unions nor the men now involved in the various strikes. He declared that he had received a number of threatening letters, one of which said he would meet the fate of Steunenberg if he "dared" to parade his troops on the streets of San Francisco. His refusal to join the parade, he said, was because not all the men of the others is inadvisable for the reasons stated.

DAN HANNA A MARRYING MAN

Son of the Late Senator Wived a Third Time—Bride Has Had Experience. Cleveland, Ohio, June 24.—Dan Hanna, son of the late M. A. Hanna, was today married to Mrs. Mary Stuart, at the residence of the bride's mother in this city. The ceremony was performed by a justice of the peace. The only witnesses were the bride's mother and one or two other persons who has lived in seclusion since the tragedy, appeared in public yesterday for the first time. A venture of sixty talemans has been summoned. The work of empanelling a jury was begun upon the convening of court.

UNWRITTEN LAW AGAIN INVOKED

Trial of Judge W. G. Loving for the Killing of Theodore Estes in Virginia.

Houston, Va., June 24.—The trial of former Judge W. G. Loving of Nelson county for the murder of Theodore Estes, son of Sheriff M. K. Estes of Nelson county, began in the circuit court here today. Judge William R. Barksdale will preside. The case promises to eclipse in sensationalism the Bywaters case in Culpeper.

Shot to Kill.

"I shot to kill. Every drop of blood in my body called for vengeance. I would have gone a hundred miles to kill him." Backed by the millions of Thomas F. Ryan, whose Virginia estate he has been overseer for a number of years, and with powerful political influence, every device known to the legal fraternity will be availed of in the efforts to acquit the judge. The plea of the defense will be emotional insanity and the "unwritten law."

CRASHED INTO A FREIGHT

Passenger Train Wrecked on the New York Central and Five Persons Met Death.

Rochester, N. Y., June 24.—Five persons were killed and a number more or less seriously injured last night upon the Auburn branch of the New York Central railroad, one mile east of Pittsford, when a passenger train crashed into a freight train. The collision took place on a sharp curve at a point known as Mitchell's farm. The smoking car was telescoped and three of the injured passengers were instantly killed. Among the victims were a son of the engineer of the freight train, who was in the cab with his father, and who died this morning, and a brakeman, Engineer Lyons, who was brought to Rochester with the dead and injured on a special train, is not expected to live.

THE DEAD.

Emmett Lyons, 14 years old, son of James Lyons, engineer of freight train. Miles S. Cutting, station agent at Railroad Mills. R. H. Venable, front brakeman. J. B. McArthur, bridge foreman. Unidentified man.

STEAMER SANTIAGO GOES DOWN OFF THE WEST COAST OF SOUTH AMERICA

Santiago, Chile, June 24.—The Pacific Steam Navigation company's coasting steamer Santiago, a vessel of 1,200 tons, trading between Panama and the south coast of South America, has been wrecked in a heavy squall, fifty miles north of Corral. One passenger and one officer are known to have been saved. The remainder of the passengers and crew are reported to have perished. The vessel was engaged chiefly in the freight trade, and her passengers mostly were traders traveling between west coast ports. The crew mainly were South Americans. When wrecked the Santiago was proceeding to Valparaiso.

RECORDS READ; TITLES TO BE REPEARED

Controversies Between State and Government Concerning Coal Tracts Will Soon Be at an End.

Department of Interior Will Classify All Areas in Doubt—Indictments Will Probably Be Quashed.

All controversies between the state and the federal government in regard to the disposition of public lands in Utah are on a fair way to amicable settlement as the result of the visit to Salt Lake of James R. Garfield, secretary of the interior. It is probable that the government will drop the actions begun in the federal district court to secure the return of coal lands selected by the state and sold to individuals by the state board of land commissioners. There is a chance that the indictments returned against prominent Utah citizens charging conspiracy in purchasing known coal lands as agricultural lands will be dismissed.

Includes Coal Lands.

The government will take immediate action on the applications of Utah citizens to the state land board for public lands comprising portions of the state sections which were held up for two years awaiting a settlement of the land fraud cases in the west. Included in this will be applications for coal lands which it can be proved were not known to contain deposits when the selections were made. The federal land office also intends to send a corps of experts to examine all public lands in Utah and to segregate the coal and mineral lands in the sections already granted the state, in order that in the future there may be none of the difficulties already experienced in dealing with the land problem. The coal lands will be taken back by the government and other lands given to the state.

Result of Conference.

These congressmen in favor of the state and its citizens were substantially agreed to after a conference between the Utah delegation to the public lands convention at Denver and Secretary Garfield and R. B. Ballinger, commissioner of the general land office. The conference was begun in Denver and was continued on the train, which bore the secretary and his party to Salt Lake. If the government carries out the promises here outlined, the benefits to the state will amount to hundreds of thousands of dollars. When the state was admitted to the union the government gave sections of every township, those sections being Nos. 8, 16, 24 and 32. The state, relying on the fact that the coal lands of this land, in some instances land of this character was sold when it contained coal outcroppings of which the state was aware at the time, although it was sold for \$125 an acre as strictly agricultural land. In other sections there were surface indications of coal, and this was also sold for the same price, in good faith, as agricultural or grazing lands.

Will Order Inspection.

In order that there may be no controversy in the future in regard to coal lands, the government will order an inspection of all public lands remaining in Utah under the coal grant and will segregate coal from agricultural lands. Applications for all lands designated as agricultural will be approved as soon as they are sent to the general land office. These will be sold to all applicants at a price of \$125 an acre. The withdrawal of the coal lands made a year ago is to be rescinded. This means that the independent coal companies, which have been complaining because now that the federal rate law gives them a chance to compete with the railroad concern, which have been secured land from which to mine coal will be beyond danger of this sort. It is further stated that any danger of a fuel famine in future years will be reduced to a minimum.

DIVIDENDS AND INTEREST.

New York, June 24.—The quarterly dividends declared in regard to coal lands, this year by various corporations will reach a grand total of \$12,281,846. This is \$5,728,674 greater than the aggregate of last year, and is more than the total of any previous quarter on record.

PATRICK COULD NOT SAVE HIM ANY LONGER

New York, June 24.—John Johnson, a wife murderer, was put to death in the electric chair at Sing Sing early today. Two contacts were given. Johnson murdered his wife, Katherine, at his home in Yonkers two years ago in the presence of their two children. He had been an ex-convict, had treated his wife badly, and shot her when she threatened to leave him.

BIDS FOR OGDEN BUILDING.

(Special to The Herald.) Washington, June 24.—Bids were opened today at the treasury department for the construction of the public building at Ogden, Utah. The bidders were Tom Lovell & Son, Denton, Utah; \$50,991; the Campbell Brothers & Co., Salt Lake, Utah; \$50,808.

RELEASE OF HAYWOOD TO CHARGE OF MURDER

Continued from Page 1.

cases out of 100 the men have not even been given the grace of a trial. As soon as the Western Federation of Miners was born the mine owners set about to destroy it and as the chief means of destruction they hired the Pinkerton detective agency, with one McKelham at its head. We will show you that this agency has been busy scouting, following, working and lying to get miners and will show that they have hired detectives and placed them in positions of responsibility as secretaries and presidents of local unions; that these hired men constantly advised the miners to strike and that when a strike was on they counselled violence, dynamite and murder. They did it at Telluride; they did it at Cripple Creek, and at many other places.

Federation Always Blamed.

"We will show that the Pinkerton Detective Agency has been the chief factor in this case from the very beginning. They have organized themselves into a band to spread calumny against the Western Federation of Miners. We will show that in one case where a cage fell, because of defective machinery, and sixteen men were killed, it was laid to the Western Federation of Miners. Every illegitimate child born west of the Mississippi has been wrapped in swaddling clothes, hurried to Denver and laid in the doorstep of the Western Federation of Miners."

"The burning of the Moscow university was laid to the leader of the Western Federation of Miners. Every illegitimate child born west of the Mississippi has been wrapped in swaddling clothes, hurried to Denver and laid in the doorstep of the Western Federation of Miners."

Coeur d'Alene Troubles.

Continuing Mr. Darrow said: "This brings us to 1892 and the troubles in the Coeur d'Alenes, when Steunenberg was governor. The Western Federation of Miners was getting along all right. Then something happened. An irresponsible mob of 1,000 people made up of miners and merchants, preachers and hangers-on and everyone who wanted a ride, went down and the Bunker Hill and Sullivan mines were blown up. The powder was furnished by a rival company. At the time Harry Orchard, who is in this case, had been there for a month carrying a union card. Jack Simpkins was in the Coeur d'Alene."

Orchard Not at Bunker Hill.

"Harry Orchard was in the Coeur d'Alenes. Harry Orchard was a cheap soldier of fortune, a shoestring gambler who had never done a day's work in his life. He owned a sixth share of the Hercules mine, but sold it because of his needs and continued his gambling. The mine didn't prosper. An irresponsible mob of 1,000 people made up of miners and merchants, preachers and hangers-on and everyone who wanted a ride, went down and the Bunker Hill and Sullivan mines were blown up. The powder was furnished by a rival company. At the time Harry Orchard, who is in this case, had been there for a month carrying a union card. Jack Simpkins was in the Coeur d'Alene."

Agrees to Convince Hawley.

"Before our first witness leaves the stand, gentlemen, we will convince you; we will even convince Mr. Darrow himself that this man Orchard has lied about 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 witnesses will be miners, but others will be eminently respectable people who have never done a day's work in their lives."

Orchard's Lost Fortune.

"Then he wandered from place to place, seldom working," said Mr. Darrow. "He was a sort of gentlemanly miner who mined the miners. In 1902 he turned up in Cripple Creek. But from 1890 to 1902 this important personage in American history is all but lost to view. It is pretty certain, however, that during all that time he could be found in the back room of some saloon gambling."

The Three Defendants.

Mr. Darrow said that when Orchard left the Coeur d'Alenes after the blowing up of the Bunker Hill & Sullivan mill,

Haywood was but a plain, ordinary working miner in Silver City, Idaho, where he lived a greater part of his working life in the snow-capped mountains which can be seen from the Boise courtroom. It was not until 1901 that Haywood became secretary and treasurer of the Western Federation of Miners.

"That is a job," said Mr. Darrow, "which everybody believes there is money in except the man who holds it. It is like being mayor or senator."

Moyer's position in 1899 was just as obscure as Haywood's, declared the miner's attorney, and as for Pettibone he was not even a miner at that time. "He ran a little store down in Denver," continued Mr. Darrow, "selling clothes, stringers, lace curtains, rugs, Bibles and other novelties on the installment plan. Pettibone had been a miner in 1892 in the Coeur d'Alene. He was arrested there and put in jail, and my friend Mr. Hawley got him out. He then decided to quit mining."

Haywood Born in Utah.

Mr. Darrow went on to describe the three defendants in the Steunenberg murder in detail. He declared that Haywood was born in Utah—an American citizen whose father came to America prior to the revolution.

"He is a plain, blunt, courageous fighting man," declared Mr. Darrow, "fighting for the rights of the workman; fighting for the protection of the widows and orphans."

"And Moyer. What of Moyer? A plain, blunt, honest man, whose ancestry was honest. Moyer was the man who, at the head of the Western Federation of Miners, fought every conceivable fight, as long as he could hold a rifle."

"Orchard at Cripple Creek. Mr. Darrow then took up Orchard's life at Cripple Creek. He declared that Orchard burned a saloon and high graded the mine. The man in charge called him went into the story of the alleged attempt to wreck the train of the Florence & Cripple Creek railroad, which falsely been laid to the Western Federation of Miners, and declared the first time Haywood, Moyer or Pettibone had seen Orchard was when the man came to Denver on a pass and on money issued by D. C. Scott, chief of detectives of the Florence & Cripple Creek railroad."

"An oily, slimy fellow," Mr. Darrow termed the detective, "who had become the Waterloo of the Western Federation of Miners in Colorado," said Mr. Darrow. "The mines closed, the coal mines closed, stores, libraries. It was flourishing and doing something until it took a chance and every one who wanted a ride, went down and the Bunker Hill and Sullivan mines were blown up. The powder was furnished by a rival company. At the time Harry Orchard, who is in this case, had been there for a month carrying a union card. Jack Simpkins was in the Coeur d'Alene."

"Then came the call for troops. Rightly or wrongly, Steunenberg called for troops. Jack Simpkins was arrested and thrown into the bull pen. He was maltreated. He was stood up at a post by a colored soldier and a bayonet was driven into his breast."

Plot of Railway Company.

Mr. Darrow said the attempt to wreck a train was a plot of the railway company and the Mine Owners' association working together. The mine owners' defense would show that Orchard was constantly in company with the detectives of the railroad and the mine owners. They were denied the privilege of passing the military lines, this leper Orchard went in and as he pleased. General orders were issued that Harry Orchard should go and come when he wanted to, and that he should not be allowed to pass the military lines.

"We will show that Orchard came to Denver and formed a slight acquaintance with Haywood, Moyer and George Pettibone. After Moyer went to Cripple Creek to attend the trial of some men charged with the wrecking of the train, Orchard met Orchard, who ingratiated himself with Moyer, who trusted him. Orchard gained Moyer's confidence, and we will prove that Moyer never said the things to him that Orchard claims were said. Moyer will tell you this himself."

"Then when Moyer went down to Telluride to visit the union there, he took this man who had won his confidence along to protect him from the thugs of the mine owners. In fact, however, had Moyer arrived in Telluride that he was arrested and thrown in the 'bull pen' where he remained for several months, unable to take any part in any further conspiracies."

Dogs Called Off.

"The dogs were called off," said Mr. Darrow, "and Orchard came back to Denver and went where he wished without being arrested or in any way."

Describing the conditions which followed the explosion of the Independence depot, Mr. Darrow said that the secretary of the Mine Owners' association made a speech from a wagon denouncing the Western Federation of Miners, saying that now was the time to get rid of the organization. Just then a shot was fired.

"We will show that K. C. Sterling fired the shot," said Mr. Darrow. "It was the signal for a general skirmish. Many shots were fired, and when the smoke cleared away two men lay dead. Two lawyers were found lying under a wagon. They were not hurt."

"Do you mean they were lying down or merely sitting on the ground?" asked Attorney Hawley with good humor and amid laughter.

Militia at Cripple Creek.

"They weren't saying a word," replied Darrow, who then went into a detailed story of the alleged depredations of the militia upon union property in the Cripple Creek district. All the union men were driven out; their stores and halls and libraries were looted. He said that the militia some time later heard that 100 of the deported men were gathered in a canyon and they were taken to the place, and the men were fired upon—one being killed and others injured. They were then driven back to the district and put in the bull pen.

A recess until 2 p. m. was then taken. Mr. Darrow having about half completed his speech.

Ethel Barrymore, the actress, was among the spectators at the trial during the afternoon session, as were also Gifford Pinchot, chief of the bureau of forestry at Washington, and Judge Dietrich of the federal court.

Mr. Darrow, resuming his speech after the recess, continued to narrate to the jury the story of the conditions prevailing in the Cripple Creek district during the period of martial law following the Independence depot explosion.

Arrest of Moyer at Ouray.

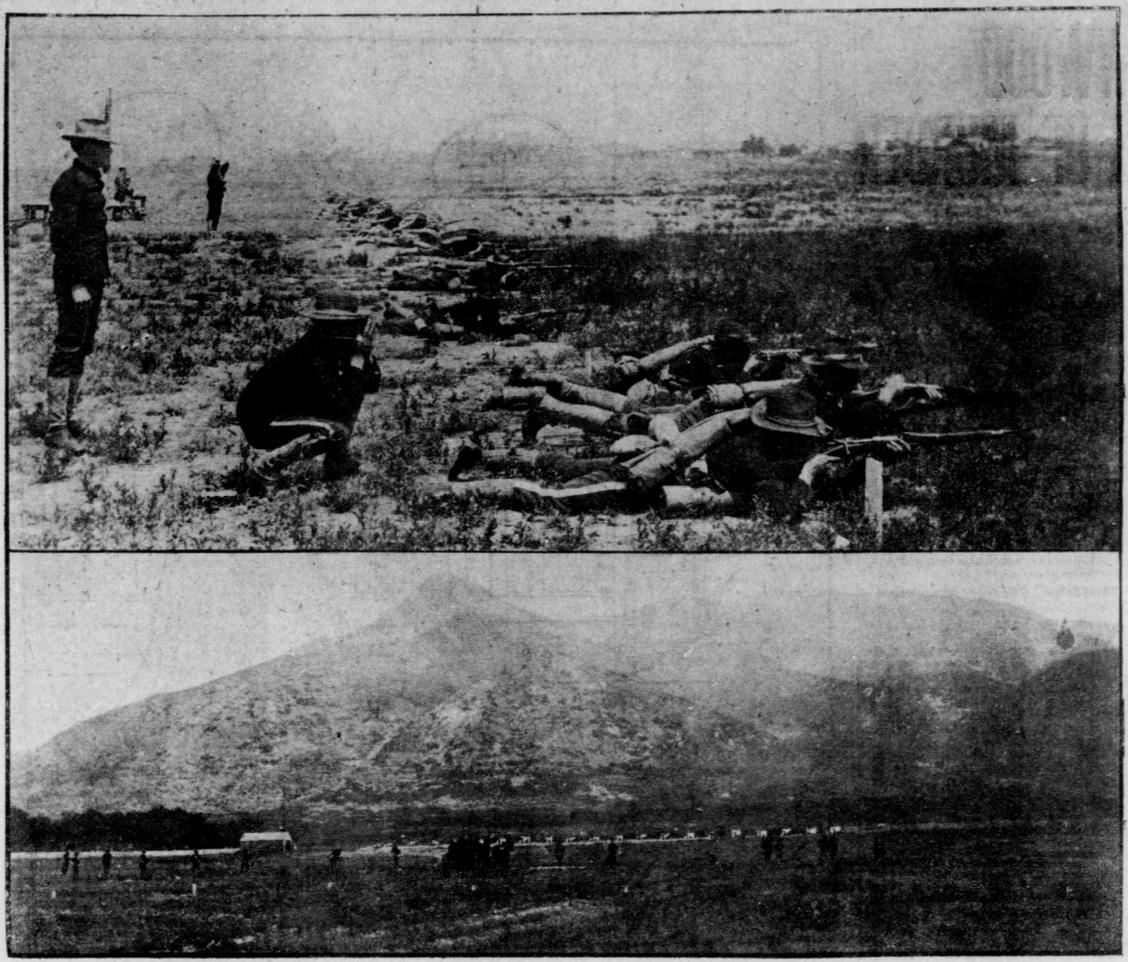
He told how Moyer had first been arrested at Ouray on a charge of deserting the American flag and then was held in custody as a "matter of military necessity." Moyer also was charged with the murder of two men killed in the riot at Independence—the riot which had occurred while he was in the bull pen presided over by Bulkeley Wells.

Mr. Darrow told of the deportation of the union miners from Cripple Creek and the posting of the conditions prevailing in the district without first renouncing allegiance to the union and securing a permit from the Mine Owners' association.

The attorney dwelt for some time upon the Cripple Creek troubles, saying that most of the money on the conditions prevailing in the district was scattered to the four quarters of the west found it necessary to change their names. Mr. Darrow then came to Orchard.

"Along with Johnny Neville and the Neville boys Orchard came to Denver after the Independence depot affair. Or-

ARMY TARGET PRACTICE AT DOUGLAS; REGIMENT INSPECTED BY GEN. THOMAS



The upper picture shows marksmen shooting at a distance of six hundred yards. The lower picture shows General Thomas' rig in the rear of the marksmen, and the white targets 200 yards distant.

Regular army target practice, which has been in progress on the ranges at Fort Douglas for nearly a month past, will be completed by June 25. The practice includes all of the men at the post, approximately 700. The firing has been remarkably accurate, according to the testimony of the officers, but despite the records made, none of the men will enter the territorial contests because the twenty-ninth will leave for the Philippines on August 5. Some of the officers are already preparing for the voyage to the islands.

The practice at Fort Douglas is under command of Colonel Lockwood. Colonel Lockwood has designated Major Pendleton to take general supervision and Captain J. E. Woodward is in direct charge of the firing.

Good Records Made.

In the contests there are three general classes—marksmen, sharpshooters and experts. The distances range from 200 to 1,000 yards and places on the ranges are interchanged. Captain Woodward says that the result of the firing has been highly satisfactory from the beginning.

The most interesting part of the practice is the skirmish firing, which is done with full equipment of haversack, blanket and other accoutrement. In this practice the sharpshooters fire from different distances, advancing on the double quick. It is extremely trying work when a hot

name, and everything else. The money was sent as he requested.

Colorado Politics.

"During all this time Peabody, Goddard and Gabbert were all living in Denver. One of these men lifted a hand against them and not one of these men—Haywood, Moyer or Pettibone—even spoke to Orchard about Peabody. Goddard had gone east and Peabody was sound-safe, at least. I won't answer for their being sound."

"I expect to show that at this time Goddard, Gabbert and Peabody were more roundly abused than any men in Colorado. Goddard and Gabbert were accused of being traitors to their party."

Mr. Darrow went at length into the political situation in Colorado at that time. He told how the members of the supreme court were pilloried and cartooned throughout Denver and even flags were hoisted at half mast.

"Like a hungry dog seeking a meal Orchard did at this time go to Pettibone's house and stayed there. Mrs. Pettibone had gone east and Pettibone told Orchard he might come there and stay. He did so because he could get cheap food and lodging."

"Yes, Orchard was in Haywood's house—also at this time and we can prove it. He told how he was often and he was never in the bedroom."

Mr. Darrow quickly sketched the period of Orchard's travels from Denver to Wallace.

Orchard's Trip to Wallace.

"If Orchard ever was here in Boise," he said, "we know nothing of it, or if he saw Steunenberg here we know nothing of it, but he was here in Wallace, Idaho, and then he went to Wallace."

"It was the first time he had been in Wallace. He had been driven out by the militia. While there he saw Ed. Boyce and Hutton and August Paulson were his old associates in the Hercules mine. They had all been as poor as he, but now they were rich and he was a tramp. Orchard followed the matter as a gambler and confidence man in Wallace. He visited many persons whom he had known in the old days—among them were the men who were killed and others injured. The explosion occurred. Why, if the bomb this man Orchard has described had exploded as he said it did, you could not have found a square inch of Bradley anywhere, and not a stick of timber of the house. Orchard never blew up the Bradley house, and I tell you this without having any special interest in defending Harry Orchard."

"In San Francisco when Orchard was there, D. C. Coates was delivering illustrated lectures on the Cripple Creek strike. Orchard went to the lecture one night and asked if he had heard of the story of the Bradley house. Coates said he had, and Orchard then said that Bradley had not what he deserved—that he had been in the coal fields in the organization headed by John Mitchell alone was interested."

Threats Made by Orchard.

"Orchard said there was another of Bradley's kind—that it was Governor Steunenberg. 'If it had not been for the murder of the two men killed in the riot at Independence—the riot which had occurred while he was in the bull pen presided over by Bulkeley Wells. We will prove Orchard's threats against Steunenberg—prove that he said Steunenberg made him a pauper instead of a millionaire, not by Coates alone, but by not less than twelve men and women—and they were all members of the Western Federation of Miners, either. We will establish a cause for Orchard's act against Steunenberg—and we feel we can't do it without having any special interest in defending Harry Orchard.'"

"Orchard wrote to Pettibone while in San Francisco and asked that some of the money on the conditions prevailing in the name of J. Wolff, a clerk in Pettibone's store. Orchard telegraphed twice to Pettibone for money and gave full instructions how it should be sent, in what

name, and everything else. The money was sent as he requested.

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Orchard's Trip to Wallace.

"If Orchard ever was here in Boise," he said, "we know nothing of it, or if he saw Steunenberg here we know nothing of it, but he was here in Wallace, Idaho, and then he went to Wallace."

"It was the first time he had been in Wallace. He had been driven out by the militia. While there he saw Ed. Boyce and Hutton and August Paulson were his old associates in the Hercules mine. They had all been as poor as he, but now they were rich and he was a tramp. Orchard followed the matter as a gambler and confidence man in Wallace. He visited many persons whom he had known in the old days—among them were the men who were killed and others injured. The explosion occurred. Why, if the bomb this man Orchard has described had exploded as he said it did, you could not have found a square inch of Bradley anywhere, and not a stick of timber of the house. Orchard never blew up the Bradley house, and I tell you this without having any special interest in defending Harry Orchard."

"In San Francisco when Orchard was there, D. C. Coates was delivering illustrated lectures on the Cripple Creek strike. Orchard went to the lecture one night and asked if he had heard of the story of the Bradley house. Coates said he had, and Orchard then said that Bradley had not what he deserved—that he had been in the coal fields in the organization headed by John Mitchell alone was interested."

Threats Made by Orchard.

"Orchard said there was another of Bradley's kind—that it was Governor Steunenberg. 'If it had not been for the murder of the two men killed in the riot at Independence—the riot which had occurred while he was in the bull pen presided over by Bulkeley Wells. We will prove Orchard's threats against Steunenberg—prove that he said Steunenberg made him a pauper instead of a millionaire, not by Coates alone, but by not less than twelve men and women—and they were all members of the Western Federation of Miners, either. We will establish a cause for Orchard's act against Steunenberg—and we feel we can't do it without having any special interest in defending Harry Orchard.'"

"Orchard wrote to Pettibone while in San Francisco and asked that some of the money on the conditions prevailing in the name of J. Wolff, a clerk in Pettibone's store. Orchard telegraphed twice to Pettibone for money and gave full instructions how it should be sent, in what

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say that Orchard while a detective in the employ of the agency killed Steunenberg because of the old grudge of which he had spoken so often. He killed him in the most cowardly way a murder could be committed. He was caught red-handed and turned over to McParland, the head of the western branch of the Pinkertons. After some manipulation he was persuaded that the best thing he could do would be to place the blame on some one else, which he did. He is getting the biggest price for his ever got for a crime. He hopes to save his miserable case.

Arrest of the Prisoners.

Coming to the arrest of Haywood, Moyer and Pettibone, Mr. Darrow charged that it was all done by the Pinkertons on a perjured affidavit. He described the capture in Denver of Haywood, Moyer and Pettibone, who, he said, were arrested, denied all the rights of citizens, kidnaped and brought to Boise for trial, where in the jail they have been waiting for a year and five months for a jury to pass upon their case.

"Every name arrested," continued Mr. Darrow, "it was announced that he was a member of the Western Federation of Miners. Haywood was told of it and at once wired to Silver City instructing them to look after the case. We will show that it is a part of the plan of the Pinkertons to look after their members, no matter how obscure. Miller came and saw Orchard a few times, but finding this was not working, he decided that McParland could do Orchard more good than he could—perhaps he was right."

"Many names have been mentioned by Harry Orchard of persons connected with him—generally in Cripple Creek. The union was scattered by the four winds from there, but we will bring before you nearly all of those whose names he has mentioned, and we will bring you Davis and Easterly and others, and before we are through with them you will say we have had enough."

Labor Unions on Trial.

"Moyer, Haywood and Pettibone never had any connection with this man in any criminal act. We will demonstrate to you before we are through that this is not a murder case; that Bill Haywood is not on trial, but that the state of Colorado has sent these men to Idaho thinking conditions and people here are different and that the Mine Owners' association of Colorado might succeed in hanging, executing these men and letting the Western Federation of Miners through them. That labor organization and all labor organizations end not Bill Haywood are on trial here."

Mr. Darrow had spoken for three hours and twenty minutes. He was pretty well exhausted, and it was decided to postpone the taking of testimony until tomorrow morning. Mr. Darrow said he thought the defense would require more than seven or eight days to conclude its case. Court adjourned until 9:30 a. m. tomorrow.

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