

# PRESIDENT AND HAYWOOD TRIAL

Darrow of Counsel for Defense Says That He Was Brought In by Butting In.

## PREJUDICE AGAINST ORCHARD.

Talesman Says That Under no Circumstances Would He Give Credence To His Testimony.

Boise, Idaho, May 15.—The unexpected uncovering of a vein of prejudice against Harry Orchard and his testimony during the further examination of talesmen in the Steuenberg murder case today, led to the first sharp wrangle between counsel and involved the name of President Roosevelt in an acrimonious discussion.

The day and the incident began with Samuel Wingate, the eloquent talesman in the hands of the defense for examination in chief. Questioning had proceeded a short distance when it developed that Mr. Wingate was biased against Orchard and unwilling to accept testimony, which it is expected he will give against the prisoner. The defense naturally tried at once to show that Wingate's state of mind on the subject was not such as would warrant his removal from the box, but when the talesman repeated to the hands of the State, Senator Borah quickly drew from him the flat-footed statement that he could not under any circumstances give credence to Orchard's testimony. Wingate was, upon this excuse, the defense excepting to the court's ruling and from thereforward the state was particular to test all talesmen on this principle.

Talesman A. P. Burns, who finally succeeded to Wingate's seat, said under oath that he was not prepared to give the same credence to Orchard that he would expect to other witnesses, but his attitude was not deemed sufficient to warrant his removal. The question recurred at the afternoon session, when Senator Borah, in questioning Talesman William McGuffin, who followed Talesman Henry of seat six, after the latter had been excused, for implied bias on the testimony of R. Z. Lovelace, the first witness called in the case—who swore that Henry had told him that Haywood, Moyer and Pettibone would not have been brought here if "they had not been mixed up in the case."

Clarence Darrow, of the defense, objected to the question, and Senator Borah sharply replied: "After the immense latitude that the defense has taken in regard to McFarland, Taft and Roosevelt, I did not think they would stick on any technicalities at this late day."

"We don't ask as to the effect of McFarland's testimony," said Messrs. Darrow and Richardson together. "If Roosevelt is to be brought here to testify, we might have something more to say," went on Mr. Richardson.

Roosevelt can take care of himself wherever he is," retorted Borah. "Well, I don't know about that," said Darrow.

Judge Wood directed counsel to proceed with the case, but Mr. Darrow, who was standing, took formal exception to the remarks of Mr. Borah. "I don't want to see the defendant Roosevelt if you will," replied Borah. "He was brought into the case by the defense."

"He came in himself," said Mr. Richardson. "He is 3,000 miles away and he writes letters."

"He was brought in by his own butting in," added Mr. Darrow. Objection to the question, the talesman saying that he did not have any bias or opinion in the matter, the defense noting an exception, and the incident closed.

The jury box was finally filled with 12 talesmen, subjected to examination and temporarily passed by both sides at 2:40 o'clock in the afternoon, and the court announced that it was in order for both sides to exercise peremptory challenges.

Counsel for Haywood asked for a few moments' delay, and for five minutes they gathered around the chair of the prisoner and engaged in earnest consultation as to the jury box. The state exercised its right first, and excused William Van Orsdale, a grocer, who has occupied seat 2 since the opening day of the trial. George F. Maw, a young farmer with some strong opinions as to the acts of certain elements in the labor unions of the country, was then called to the vacant place. The state passed him, and he was still in the hands of the defense when adjournment hour was reached.

The trial will not be resumed until 2 o'clock tomorrow afternoon because of the funeral in the morning of Judge Nugent, father of John F. Nugent, one of the counsel for the defense. Proceedings were interrupted at the beginning of the afternoon session today, and Judge Wood made formal announcement of the death of Judge Nugent. Committees of the local bar to make arrangements for the participation of the bar and court in the funeral and to draft memorial resolutions were appointed by Judge Wood.

Wood, and it was announced that to permit the members of the court to attend the funeral there would be no session tomorrow morning. The recess may extend the completion of the jury beyond the end of the week. Between prosecution and defense there are 20 peremptory challenges, and but one of these has been used. It is generally admitted that both sides intend to fully use their peremptory rights, and the present composition of the tentative jury may be entirely changed.

The examination of talesmen by the defense today indicated a desire to further investigate the question of general local prejudice. Counsel recalled the trouble in the Coeur d'Alene 15 and 18 years ago, and with emotion inquired as to possible effects upon the minds and prejudices of prospective jurors. The rest of their examination covered the wide range of subjects already outlined. The state, besides its general line of questions and the attitude toward Harry Orchard introduced today, is also covering membership in labor unions and the possible existence of prejudice for or against them.

The prisoner was again an active participant in the conduct of his case. He repeatedly consulted with his attorneys, and watched the proceedings with attention as alert as theirs. The courtroom failed to fill again today, and if talesmen, witnesses, lawyers, court attaches and newspaper men had remained away, the place would have been absolutely lonesome. The people of Boise are following the case with interest, but the city seems unwilling to spare more than a score of its inhabitants to sit through the proceedings in court.

## MRS. EDDY LINDQUIST.

Wife of Prominent Pocatello Citizen Dies of Mysterious Disease.

(Special to the "News.")

Pocatello, Idaho, May 15.—Mrs. Ethel Ashcroft Lindquist, 25, wife of Undertaker Alfred H. Lindquist, died today at 11 a. m. after a few days' illness of a complicated nature, with symptoms of typhoid fever and spinal meningitis. The remains will be taken to Logan for interment tomorrow, where the family burial place is situated. Her little 1-year-old son, Alfred H. Jr., who buried last December, Mr. Lindquist is the second counselor to Bishop Milo A. Hendricks, of this city. Parting services will be held here tomorrow at 10 a. m. She leaves her husband and one child.

## MY BEST FRIEND.

Alexander Benton, who lives on Rural Route 1, Fort Edward, N. Y., says: Dr. King's New Discovery is my best earthly friend. It cured me of asthma six years ago. It has also performed a wonderful cure of incipient consumption for my son's wife. The first bottle ended the terrible cough, and this cured the other symptoms left one by one, until she was perfectly well. Dr. King's New Discovery's power over coughs and colds is simply marvelous. No other remedy has ever equaled it. Fully guaranteed by Z. C. M. I. Drug Dept., 112-114 Main St. 50c and \$1.00. Trial bottle free.

## COLORADO LAND FRAUDS.

Federal Grand Jury Returns a Lot of Indictments.

Denver, Colo., May 15.—The federal grand jury which was impeached on Tuesday made report yesterday of its first day's work to Judge R. E. Lewis in the United States district court. Indictments were returned for 12 persons who are charged with land frauds, and Judge Lewis ordered warrants issued for their immediate arrest. Most of the warrants must be served out of town and, until the arrests are made no names will be given out for publication. Ball was set at \$2,500, in each instance. It is thought that it will be several days before all the warrants can be served.

## BARROOM ETIQUETTE.

Differences Over Its Interpretation in Portland Caused Death of Man.

Portland, May 15.—A quarrel over barroom etiquette today resulted in the death of Henry Robinson, aged 23, and the arrest of Hans Holt, aged 23, on a charge of murder. The trouble occurred in a saloon on Second and Jackson streets. Robinson insisted on shaking hands with Holt, to whom he had never been introduced. This angered Holt who struck Robinson with his left hand. Robinson fell heavily to the tiled floor and sustained a fracture of the skull. He died before a physician could reach the scene.

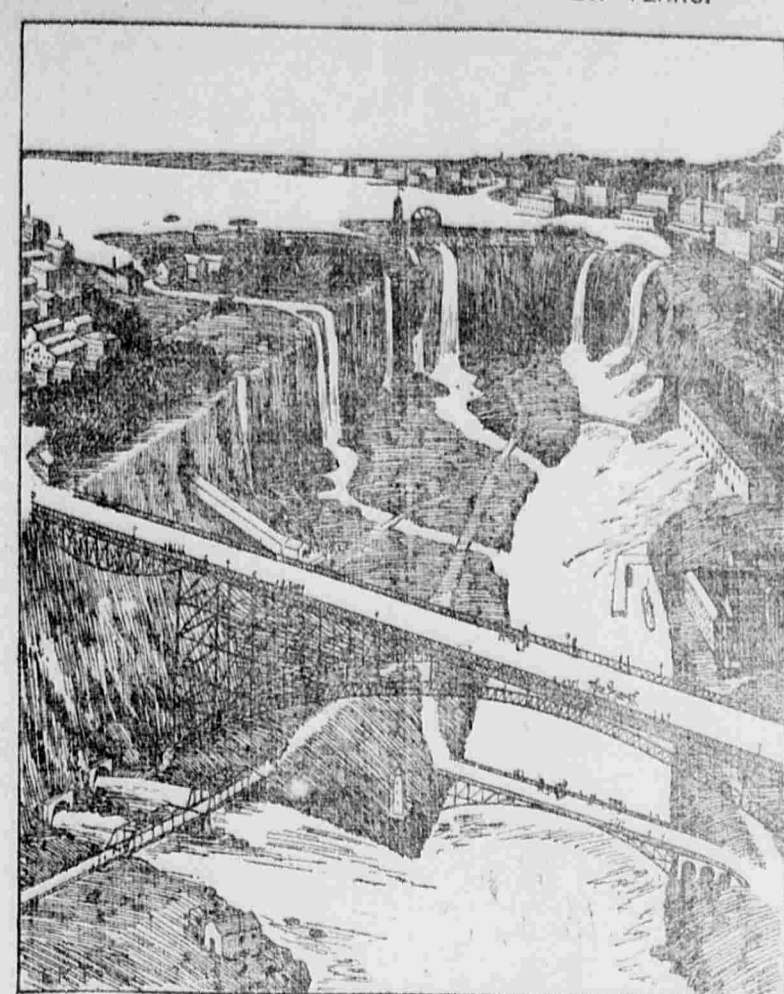
## IDAHO LAND FRAUDS.

Moscow, Ida., May 15.—The defense in the north Idaho land fraud and conspiracy case today asked Judge Dietrich a motion to disqualify United States Marshal R. Rounds and his deputies, asking that they be removed on an error. The disqualification is based upon the alleged interview with Rounds by the defense, in which it is said the marshal stated many things untrue and prejudicial to the defendant. The defense served notice upon the prosecution that it was not ready to proceed to trial at this time of the court and will ask for a continuance and resist any attempt to force it to proceed at this time.

## PLENTY OF STRIKE BREAKERS.

New York, May 15.—In answer to advertisements for experienced non-union motormen and conductors, hundreds of men yesterday went to an uptown office to make application for employment.

## HOW NIAGARA MAY APPEAR IN A FEW YEARS.



The sketch herewith presented is the reproduction of an artist's idea of how the famous cataract at Niagara is likely to appear if the diversion of its waters for manufacturing purposes is not stopped. Already several electric power plants have tapped the great waterfall and other schemes are under consideration. There is at present a good deal of anxiety felt for the safety of the great natural wonder, and President Roosevelt has recently advised the enactment of a law to preserve it from the rapacity of those who wish to turn it to their own advantage regardless of the sentiments of others.

## DO YOU KNOW—

That cloves are the dried flower buds of a kind of myrtle tree? That lions crunch their food so fiercely that they break most of their teeth in a few years? That in Germany cherry trees are planted along the roadside and any one going past may pick as much fruit as he likes? That young blackbirds look very much like little thrushes? That boars and pythons, two kinds of large snakes, have 320 pairs of ribs?

Mass, tomorrow. She is the granddaughter of Sir Alexander John Hall of London, who died several years ago, leaving a large estate, of which she is one of the heirs.

## WAR AGAINST CONSUMPTION.

All nations are endeavoring to check the ravages of consumption, the "white plague" that claims many victims each year. Foley's Honey and Tar cures coughs and colds perfectly and you are in no danger of consumption. Do not risk your health by taking some unknown preparation when Foley's Honey and Tar is safe and certain in results. Ask for Foley's Honey and Tar and insist upon having it. For sale by F. J. Hill Drug Co.

## MOYER-HAYWOOD PARADE.

Daughters of Chicago Union Men Will Take Part in It.

Chicago, May 15.—Fifty girls between 8 and 15 years old, daughters of Chicago union men, will march in the Moyer-Haywood parade next Sunday as a mark of sympathy for the 19-year-old daughter of W. D. Haywood, on trial at Boise, Idaho, for the murder of former Gov. Steunenberg.

## CARUSO IN LONDON.

His Reception at Covent Garden Was A Great Triumph.

London, May 15.—Caruso, the tenor, made his first appearance of the season at the Covent Garden theater in "La Boheme" last night, and his reception was a triumph. It recalled the scenes familiar to Covent Garden theater at the time of Patti's phenomenal success in the same opera. He was repeatedly called before the curtain and cheered.

## CHINESE DYNASTY.

Japan Said to Be Much Concerned in Possible Upheaval Over It.

Tokyo, May 15.—Japan is considerably concerned about the recent attitude of the Chinese papers on dynastic matters. The Minichi Shimpu, an excellent informed journal, interprets the comments of these newspapers as forecasting the beginning of a struggle for the succession, the dowager empress of China, who is virtual ruler of the empire, being now 75 years old. The Minichi Shimpu, which is a very distant date.

## MARY GARDEN.

Prima Donna at Paris Opera Comique Signs for Season at the Manhattan.

New York, May 15.—Advices from Paris report that Mary Garden, an American, who is prima donna of the opera comique, has signed a contract to become one of the leading singers at the Manhattan Grand Opera House next season in New York. Mary Garden was born in Chicago. She received her musical training in Paris and has sung with distinguished success in most of the great opera houses in Europe.

## A HEROIC MOTORMAN.

With Clothes All Ablaze Remained at Post and Prevented a Panic.

Chicago, May 15.—John Maloney, motorman on a westbound Chicago & Oak Park elevated train, proved himself a hero last night when, with his clothing a mass of flames, he remained at his post after the circuit breaker on the motor car cut him to the coach. His pluck averted a possible panic. He was severely burned and may not survive.

## SUPPOSED PAUPER TURNS OUT TO BE A RICH WOMAN.

Chicago, May 15.—A dispatch to the Tribune from St. Louis, Mo., says: The identity of a woman of 39 years, who has been in the city hospital for several weeks registered as a pauper, has been established. She is Mrs. Rose Sheridan of Montreal, Canada, and instead of being destitute she has money in the bank, is heir to an estate said to be worth \$100,000 in England, is herself said to be of aristocratic blood. Mrs. Sheridan arrived in St. Louis several weeks ago en route from Montreal, Ark., to Millers, Mass. She had been ill of brain fever. At the Union depot she fainted, became delirious, and was sent to the hospital. When she regained consciousness she told of her sister, her child and nurse, and claimed they were at the depot. The hospital attaches thought her remarks resulted from a diseased mind. Mrs. Sheridan will start for Millers.

It's EASY

# PAINT

Painting is not so hard if you get the right paint. The varnish you put on a floor may not be good for other woodwork; paint for the porch is not always right for a chair. All this has been straightened out by the

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mark which directs you to the Perfect Paint for Every Purpose, regardless of what that purpose may be. This mark covers everything that goes on with a brush—paints, enamels, stains, varnishes—and enables you to get exactly what you need.

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## DUBEL TEAM VS. EUREKA,

Spanish Fork, May 17th.

# GRAND BALL

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Special Train 7 p. m. via

## SALT LAKE ROUTE.

\$1.40 Round Trip.

## MONEY FOR EVERYBODY

List of Fortunate ones. You may know some of them.

Monarch Hardware Co., 27-29 W. 3rd South City.  
Deseret Soda Water Co., 158 Pierpont St., City.  
Western Arms & Sporting Goods Co., 115 So. Main City.  
Thos. Jackson, 70 E. 4th North City.  
J. W. Snell, 225 W. 1st So. City.  
M. I. Woolf, 306 So. W. Temple City.  
Vincent Shoe Co., 110 So. Main City.  
Will G. Farrell, Deseret News Bldg., City.  
Miller & Allen, Grocers, W. 2nd So. City.  
Brown School of Correspondence, 241 S. West Temple.  
N. Byhouwer, 1748 Gordon St., City.  
H. W. Houston, 1908 North East City.  
Neph Dalstrom, Idaho Falls, Ida.  
Eagle Mills, Castle Dale, Utah.  
Mrs. A. M. Marshall, Gladstone Rooming House, City.  
R. Elie Candy Co., City.  
Cardon Jewelry Co., Logan, Utah.  
Bowman & Co., Kanab, Utah.  
Gasser & Co., Pocatello, Idaho.  
Miller-Carlson Co., Murray, Utah.  
Thos. Harris, 163 W. 3rd So. City.  
Chas. McKee, 159 1/2 So. Main City.  
Geo. Weldon, Minidoka, Idaho.  
Herman Craven, Elks Hotel, City.  
Dr. J. Milliron, City.  
Hegsted Jensen Earl Co., Rexburg, Ida.  
Studebaker Bros. Co., City.  
W. B. Trapp & Co., Pocatello, Idaho.  
Stockgrowers' Merc. Co., Shoshone, Ida.  
J. J. Rasmussen, Ferron, Utah.  
Chipman Merc. Co., American Fork, Ut.  
Hibbs & McCoy, Oostepaths, City.  
Siddoway Briggs & Co., Teton, Idaho.  
Dr. H. A. Carle, Pocatello, Idaho.

Olson Sanders & Co., Murray, Utah.  
N. E. Samuel, 140 3rd St., City.  
M. Nadel, the Clothier, City.  
T. E. Harper, the Grocer, City.  
Lorenstein & Co., Holper, Utah.  
Dr. C. M. Benedict, City.  
Frontier Supply Co., Frontier, Wyo.  
C. B. Johnson, Pocatello, Idaho.  
Electors Co-op, Eldorado, Utah.  
W. R. Jefford, Park City, Utah.  
Jacob Dorr, the Butcher, City.  
Logan Furniture Co., Logan, Utah.  
John W. Stoner, Cokeville, Wyo.  
John D. Ellis, R. R. Man, 421 So. 4th West, City.

All of the above have had the money. Do you want some? Bad Debts are as good as gold in thousands of cases. If you have any bad debts and want some money, turn in your claims to us at once.

## MERCHANTS' PROTECTIVE ASSOCIATION

Scientific Collectors of Honest Debts,  
Fifth Floor Commercial Nat'l. Bank Bldg., Salt Lake City.  
Francis G. Luke, General Mgr. "Some People Don't Like Us."

Established 1895.

## Utah Commercial & Savings Bank.

WM. F. ARMSTRONG.....President  
BYRON GROSS.....Cashier

Commercial Banking in all its branches. Four per cent interest paid on savings deposits.

ACCOUNTS SOLICITED.

U. S. DEPOSITORY.

## Deseret National Bank,

Salt Lake City, Utah.

Capital.....\$500,000.00  
Surplus.....\$250,000.00

Safety Deposit Boxes for Rent.

J. S. Hilla.....President  
Morse Thatcher.....Vice President  
H. S. Young.....Cashier  
Edgar S. Hilla.....Asst. Cashier

## WALKER BROS., BANKERS.

(Incorporated). Established 1873.  
Capital.....\$200,000.00  
Surplus.....\$100,000.00

Absorb the Salt Lake Branch of Wells-Fargo & Co.'s Bank.

## THE STATE BANK OF UTAH

Salt Lake City, Utah.

Established 1890.

Solicits accounts of Banks, Firms and Individuals, and extends to customers every reasonable courtesy and facility.

Joseph F. Smith.....President  
Wm. B. Preston.....Vice President  
Charles S. Burton.....Cashier  
H. T. McWhan.....Asst. Cashier

## McCormick & Co., BANKERS.

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Established 1871.

U. S. DEPOSITORY.

## National Bank of the Republic

FRANK KNOX.....President  
JAMES A. MURRAY.....Vice President  
W. F. Adams.....Cashier

CAPITAL AND SURPLUS.....\$250,000.

A thoroughly modern savings department conducted in connection with this bank. Safe deposit boxes for rent.

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DIRECTORS:  
W. W. Riter, President; Moses Thatcher, Vice President; Elias A. Smith, Cashier; L. S. Hilla, John R. Barnes, John C. Cutler, David Eccles, A. W. Carlson, George Romney, L. Winder, George Sutherland, Reed Smoot, W. J. James.

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W. R. McCormick, W. F. Adams, Pres't.

## UTAH NATIONAL BANK,

SALT LAKE CITY, UTAH.

Pays interest of time deposits. Safety deposit boxes for rent.

Capital and Surplus.....\$250,000.  
Thos. R. Cutler, V. P. Jas. Nelson, Cash.

## Edward L. Burton

11 E. First South St. Phone 277.

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And Other High Grade Investments Bought and Sold.

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(Established 1890).

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## KNAPTON, CURTIS & HANGER CO.

WALL PAPER AND PAINTS. 217 SO. STATE ST. PHO303.

## Knowing a Thing is Satisfaction.

When Ladies buy Queen shoes or oxfords they know that they Quality obtain the newest styles at the lowest prices, \$3.00 and \$3.50 a pair.

Our mens' footwear are just as good and the prices \$3.00 to \$4.00 a pair.

# Vincent's Queen Quality

Shoe Store

110 MAIN ST.

Supposed pauper turns out to be a rich woman.

Chicago, May 15.—A dispatch to the Tribune from St. Louis, Mo., says: The identity of a woman of 39 years, who has been in the city hospital for several weeks registered as a pauper, has been established. She is Mrs. Rose Sheridan of Montreal, Canada, and instead of being destitute she has money in the bank, is heir to an estate said to be worth \$100,000 in England, is herself said to be of aristocratic blood. Mrs. Sheridan arrived in St. Louis several weeks ago en route from Montreal, Ark., to Millers, Mass. She had been ill of brain fever. At the Union depot she fainted, became delirious, and was sent to the hospital. When she regained consciousness she told of her sister, her child and nurse, and claimed they were at the depot. The hospital attaches thought her remarks resulted from a diseased mind. Mrs. Sheridan will start for Millers.

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Would you like to get a good Suit of Clothes, a pair of Trousers, Suit for the Boy, a new Hat, Shirt or anything in the Furnishing line, AND TO BUY IT FOR MUCH LESS THAN IT'S WORTH? If you would BARTON'S SALE AFFORDS THE OPPORTUNITY.

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