

THE QUESTION.

Atty. Heney

Did you in January, 1905, in the house at 2849 Fillmore street give fo the defendant, Eugene E. Schmitz, \$2,-500 in currency?" Hency replied Briefly to Campbell. Judge Dunne overruled the defense's objection and denied an exception. Heney called Ruef. Ruef, very pule, climbed into the wit-ness chair. After seating himself, he buttoned his blue sack coat ostenta-tiously, then settjed back with folded hands to await the inquisition. Asst. Dist. Afty. Heney said: "The question to which objection was made yesterday was objected to as heading. I will change the form of it: "Did you in January or February, 1905, in this city and county, at the house of Mayor Eugene E. Schmitz, 2849 Fill-more street, give him any money, and if so, how much and what kind of money?"

Min. Campbell for the defense re-newed objection to this question. He said that time indicated "in January or February" was too broad; it should be restricted and made definite.

OBJECTION OVERRULED.

Judge Dubne overruled the objection. Ruef, turning to the court stens-grapher said: "Will you kindly read the question?" Then he answered: "I did."

"I did." A loing pause. Then: "2.500 in currency." Judge Campbell, attorncy for Schmitz, tried to stop Ruef's answer, but the objection was overruled. Atnid a hush that was almost painful. Ruef replied clearly and distinctly: "I did." "Toto couch?" sched Honor

PAID HIM IN CURRENCY.

"Two thousand five hundred dul-lars in currency," was the repty. "What did you say when giving hea-the beaution."

"What did you say when giving hera the money."" "I did not say to him it was has share of the money—it was his share of the money from the French restaurs, ants—I did not say I had received \$5,000 from the French restaurs... and I would be glad to share it will him and then I gave it to him." "Did you in Jacuary or February, 1996, give Mayor Schmitz at his house any money, and if so, how much and at what time?" Campbell objected to this question, but the opticities was overraled, and Ruer answerst: "Some time after Jacuary 1906, I

Ruet answersel: "Some time ofter January 1906, I handed Mayor Schnick SL500 to cur-reacy at his house at Valledo and Pierce streets. I told him that the French restaurant koharts had paid use a sec-ond installment of \$2,000 which was \$2,000 less than they had agreed to pay. I gave Schmitz \$1,500 in cur-reacy." "Told you at any time give Mayor Schmitz an moury you received from what is known as the Little French restaurants."

restaurant?" "I not not positive. My recollection is that I gave him \$250." Ruef said that he did not recollect having given S-mails one-balf of the \$500 noid him by the proprietor of tho Old Poodle Dog. Jack's and Frank's. "Take the witness," said Mr. Hency.

DEFENSE TAKES WITNESS.

"Mr. Ru"", "asked Mr. Campbell than a nonectl's patise, "where do a preside now ""

A rupple of hinghter can through the

To San Princisco," was the impo-"To San Princisco," was the impo-intbable reply. "But in what particular place is at "My temporary abiding place is at No. 2819 Filmare sheet," anewored, with a ball sould of annusciped. Again the audience differed. "And how long," persisted Mr. Camp-bell "has that been your abiding place."

"Since Elisar Biggy selected B of th

"Now, Mr. Balliff," declared Judge

"liow much?" asked Hency.

defense

Judge Dunne overruled the

militia. They had been used in the mining country to deliver relief goods to the families of the men on strike. One of the team was a gray mare, Or-chard said, and the other was a "used up block". up black." "They weren't fit to drive as a team," said Orchard. The gray mare might have been all right, but she was too conspicuous. Haywood told us to ouy another horse and a good buggy to use in the Sherman Bell affair." 'Hadn't Haywood received an offer of \$250 for the team you say was all used up?" "It was something over \$200 for the "You were going to kill Sherman Bell, you bought a horse to help you in the task and yet you went away in two weeks' time?"

San Francisco, June 12.—The Britt-Nelson match was cinched last night when Willis Britt, acting for his brother, deposited the sum of \$2;400 to guarantee the latter's appearance in the ring on the night of July 3. The men, according to the agree-ment, are to weigh 132 pounds at 6 o'clock on the day of the contest, are to fight straight Marquis of Queens-berry rules, the same as governed

ody had gone out of office at this

Time. Orchard said he talked with Hay-wood and Pettibone at the latter's store. They gave the same reasons for wanting to get rid of Peabody. Moyer also had a feeling of personal enmity toward Peabody, Orchard said, blaming him for being the cause of his arrest.

Orchard said Pettibone asked him to t a position as life insurance solici-before going to Canon City. He t letters of recommendation from got letters of recommendation from several persons, among them Mr. Hawkins, a law partner of Atty. Rich-ardson who has conducted the pross-examination of Orchard. Richardson wanted to know the circumstances of securing the Hawkins letter and de-manded to know if Orchard had not said it was pressary for him to get work in order to support his family. Orchard said he told Hawkins he was dedoring of setting the position as Orchard said he told Hawkins he was desiorus of getting the position as a solicitor. The witness said he met Hawkins at some trials in Tellaride and the attorney remembered him. Haywood later told Orchard he had made a mistake in getting a letter from Hawkins, for if anything hap-pened in Canon City it might involve the attorney who had been represent-ing the federation.

ng the federation. Pettibone teld Orchard he must have some semblance of an occupation if he was to remain in a town the size of Canon City without arousing suspicion. It was for this reason that he took up insurance solicitation.

## THE PEABODY BOMBS.

The casing of the Peabody bomb prepared at Canon City, has been placed in evidence. Richardson want. ed to know today why the would-be assassin of the ex-governor had made with a larger bomb. Outbard said he such a large bomb. Orchard said he had planned to place the bomb out-side the house and beneath the win-dow where Peabody often sat in the evening. The fact that the bomb might also kill Mrs. Peabody and the children made no impression upon him at the time, Orchard declared,

The witness suid he made a pre-tense of insurance solicitation while in Canon City and vicility. He did not succeed in writing any insurance policies, so he went into the hail insurance business with a man from Kansas City named Vaughn. "This insurance of farmers against

storms was a fake wasn't it' asked Richardson

'It was a fake; yes, sir." 'You just gave the farmers a pie worthless paper and took their

Yes. str. "Yes, sir," Orchard said he made a great deal of money out of the scheme. The plan to blow up Peabody with a bomb had been abandoned in the

"Why?" he was asked.

why he was asked. "Because Peabody had stopped sit-ting by the window." Richardson tried to get the exact dates of Orchard's travels while in the hall insurance business and being un-successful, he turned impatiently upon the witness and demanded for the third time in the long cross-semination." time in the long cross-examination

time in the long cross-examination: "Who told you not to let me pin you down to any specific place or date?" "Nobody." shouted Orchard in return. Attys. Hawley and Borah of the state, laughed heartily at Richardson's seeming discomfiture, "Who told you to always tell me you are telling the truth?" next demanded the inste attorney.

The irate attorney. "Mr. McParland, Mr. Hawley and Mr. Borah all told me to tell nothing but the

"Yes," "And you didn't kill Bell?"

Orchard said he never got an oppor

the porch "Why didn't you shoot him?" "Because it was dark where he sat and was light where I had to go to shoot. Several times I tried to ap-proach the house, but there were some

buggy?" "Yes, sir,"

## ORCHARD TO LET UP ON BELL

ORCHARD TO LET UP ON BELL. Orchard said Moyer ordered him to let up on Sheiman Bell. The president of the federation had just returned from California and was in Ill-health. He said he wanted nothing done in Denver while he was there, as he did not care to run the risk of being put in jall again. Moyer had been in bad health ever since he was released from the military prison at Telluride. "And he continues in ill health so far as you know?" added Richardson. "He was the last time I saw him," said the witness. Moyer said It would be a good time to do some "outside work."

to do some "outside work." "He told me to get Johnny Neville."

If he was out of the way. Moyer I would do it." "But you didn't do it?" "I told

with poison'

# JAPANESE MUCH EXCITED

Tokio, June 12 .- The Asahi's corres pondence at Washington reports an at-tack upon a Japanese horiculturist at Berkeley, Cal., resulting in the destruc-tion of a greenhouse and other property, This has fanned the flame of indignation already strong here, and has served to confirm the popular belief that violenc of the kind is not accidental, but the result of a deeply-routed feeling against the Japanese,

San Francisco, June 12 .- Referring to san Francisco, June 12.-Referring to seming disconfiture.
"Who told you to always tell me you re telling the truth?" next demanded bes irate attorney.
"Mr. McParland, Mr. Hawley and Mr. "'Mr. McParland, Mr. Hawley and Mr. "' "Ha! Ha!" cried Richardson. "They

borry rules, the same as governed their last fight at Colma, and will divide the per cent of the receipts the club is to give them, 60 per cent to the winner and 40 per cent to the

# MINE PROMOTER EMMONS

METAL TRADES POSTPONE

opted the terms of the prof

CITIZENS AND STATESMEN.

his address, Ambassador Bryce

VALUE OF HISTORY TO

Convicted in San Francisco of Obtaining Money Under False Pretenses. San Francisco, June 12 .- E. W. Em

mons, a mining promoter, was con-victed in Judge Lawler's court this wieted in Judge Lawler's court this morning of obtaining money under false pretense, the penalty for which is imprisonment from one to 10 years in the state penitentiary. He was ac-cused by Mrs. M. E. Hurst of oh-taining \$500 from her for stock in the Drummer Boy mine on the repre-sentation that the mine promised large returns. She investigated the property and found it of no value. During the trial Mrs. Hurst accused Emmons of seeking to influence the jury by presenting cigars to them in the courtroom. The jury delib-erated from 11 o'clock yesterday morning until 9 o'clock this morning, remaining at the courthouse and re-fusing the offer of the court to be sent to a hotel. Emmons will be sentenced Saturday. He saw Bell once or twice o

little dogs who would start barking." "On these occasions Pettibone was waiting for you down the street in the

sentenced Saturday.

San Francisco, June 12.—The Met-al Trades association at its meeting yesterday agreed to postpone definite action on the refusal of the Machin-ists' union to accept the terms of set-tlement of the iron workers' strike uniil that union has been given a chance to reconsider its position. The machinists meet tonight, and the iron masters have postponed action until Thursday afternoon when they will

said Orchard

"Neville had told him he knew about the Independence depot and had de-mane \$1,200. Moyer said he was afraid of Neville and thought it would be safe Thursday afternoon when they will meet again. Meantime the Association of Em-ployers is determined not to start work in the shops until every union has seemaled the forms of the prof. tered settlement,

NEVILLE DIED NATURAL DEATH

"No. Neville died a natural death." "But you told Moyer you got him

"Moyer had not had anything at all to do with planning the Independence station affair, did he?" "No, sir. He knew nothing about it." Court here took the luncheon recess until 1:39 p. m. Urbana, Ill., June 12.—At the com-mencoment exercises at the University of Illinois here today, one of the at-tractions was the British ambassador. Mr. James Bryce, who delivered an

OVER A TRIVIAL AFFAIR.

In his address, Ambassador 'sryce considered the relation of history to politics, and the value of history to the citizens and statesmen, saying there were two general conclusions which public spirited citizens of the United States who wished to serve their city of state or country might error from the political history of grow from the political history of

their city of state of county mini-grow from the political bistory of other countries. - "One is," said he, "that no one who, seeing the faults that belong to popu-lar government and the difficulty of bringing it up to the ideal which the the ery of democracy sets up, need be disheartened, no, not oven by repeat-ed failures, to effect the reforms which good citizens desire. History has comfort for him. It will show him that ether forms of government, autocracy and oliagrachy, have their faults also and graver faults. You may find now and then a wise and high souled despot who will do his best for his subjects, but there is no security, there is not even a probabil-ity, that he will be succeeded by other despots of like virtue. You may have a prudent and skilful oligarchy govdespots of like virtue. You may have nerv a prudent and skilful oligarchy gov- rest

the west, and previous to his resigna-tion from the Southern Pacific com-pany service at Reno a few months ago to chter the mining business, was connected with the Oregon Short Line in this city in the capacities of travel-ing freight agent, and contravelconnected with the Oregon Short Line in this city in the capacities of travel-ing freight agent, and contracting freight agent. About two years ago he was appointed district freight and passenger agent for the Harriman lines at Reno, Nevada, which position he held until his resignation was placed in the heads of the commany about six in the hands of the company about six

nths ago. SCORCHING AUTO RUNS DOWN BOY

Knocked Youngster Into Ditch And Passed Over Him on To Sidewalk.

A boy about 12 years of age, whose name could not be learned, had a parrow escape from being killed by an automobile about noon today, at th State Bank corner. It is not often that a person's life is saved from the fact that he is the gutter, but such was true in this instance. The boy was

pushed into the rock-lined ditch, and the big machine passed completely over him, without inflicting a schatch.

over him, without inflicting a scratch. The occurrence took place shortly after 12 o'cleick. The auto was speed-ing eastward along South Temple street, at a clip said by bystanders to be in excess of 20 miles an hour, when just as the Brigham Young monument was passed, the driver lost control of the machine and it skidded towards the sidewalk. The boy, with his father, was standing near the curb, and before the lad could get out of the way he was struck and knocked into the ditch, the machine passing over him, and the machine then going av the street ago e passing over him, and over the sidewalk and onto again, stopping immediately f the bank.

my was picked up, it was When the boy was picked up, it was found that he was unhart, except that his back second to pain him slightly. The automobilist was deeply concerned over the occurrence, and made no at-tempt to get out of the way. The father wrote down the number of the machine, and then led the boy away. Intending to go to the office of a physi-cian to find out if the child was much When the found that his back a The autom

## WHOLESALE MURDERER DEAD.

Biomington, Ill., June 12.—Thom-as Baldwin, slayer of four persons, died in jall here today from nervous collapse, aged 55. Feb. 28. at Arrow-smith, he shot Mrs. Sim Eiseman and daughter Cora, and Thomas Kennedy and wife. He had been charged with criminal assault upon the Eiseman girl and when let out on ball he killed the girl and those who were wit-nesses against him. He became a nervous wreck immediately after arnervous wreck unmediately after ar-

parishioners were not only fined for holding services, but were forbidden to vote or to hold office. Boycotts and heavy fines were means used to compel Christ church members to assist in sup-port of the orthodox church and state government. For a time the mission-aries sent to this parish had enclosed government. For a time the mission-aries sent to this parish had spiritual oversight in the many parishes estab-lished in Connecticut and Rhode Is-land and the influence of these men is also noted in the parishes later estab-lished in Western New York. Today's celebration was divided into two parts, that of the morning being religious, and of the afternoon historical in character

of the afternoon historical in characte



John Howard Payne's Cottage Likely To be Sold.

New York. June 12.—Summer real-dents at EastMampion. L. I., are dis-appointed to learn that the John How-are Payne "Home, Sweet Home," cot-tage there is likely to be sold within a few days to a Brooklyn man. He is expected to so alter and remodel it as to destroy its identity. When the wardens of St. Luke's Episcopal church bought the Payne property last year, som- of the sum-mer cottagers endeavored to raise a fund with which to buy the cottage, but without success. New York, June 12 -Summer real

# GOVERNMENT SUES THE ANTHRACITE CARRYING ROADS

Philadelphia, June 12 .- The suit of the United States against the coal carrying railroads, which are charged with carrying on a monopoly in the production, transportation and sale of hardcoal was filed today in the United States circuit court in this city. The defendants are the following companies:

companies: Reading, Philadelphia & Reading, Lehigh Valley, Lackawanna, Central of New Jersey, Erie, Suequehanna, Philadelphia & Reading Coal & Iran, Lehigh Valley Coal, Lehigh & Wilkes-barre Coal, Hillside Coal & Iron com-pany, New York, Susquehanna & West-cen Coal company and the Torunis Iron era Coal company and the Temple Iron

company. After filing of the bill of complaint by Dist. Atty. Thompson, the machin-ery was put in motion to have the pa-pers served upon the defendants. The suit begun today is the result of an investigation started by the depart-ment of justice nearly a year ago The attorney general of the United Status appointed Alexander Simpson, Jr. of this city, and Charles E. Hughes, of New York, as special assistants to carry on the investigation, Mr. Hughes withdrew from the investigation when withdrew from the investigation when he became a candidate for governor of New York, and his place was taken by G. Carroll Todd, of New York.

11

DEAD MIDSHIPMEN. Now Belleved Minnesota's Launch Was Run Down by Tug. Norfolk, Va., June 12.—It was ported today that the disaster in Hampton Roads Monday night, which resulted in the sinking of a launch

contracted while operating on a pa-tient early in April, caused the death of Dr. Cyrenus A. David yesterday. For many years Dr. David had bee a leading surgeon. He was active also in church and reform work. Patients from all parts of the United States have come to Chicago to have opera-lions performed by Dr. David, who had a national reputation as a skilful

DR. CYRENUS A. DAVID DEAD. Chicago, June 12 .--- Blood poisoning

surgeon, Dr. Davia was born at Olney, Ill., Auril 25, 1843.



## Big Full Rigged Ship Sails Into New York Harbor.

New York, June 12.-Another of the fell Atlantic in recent years salled into the harbor yesterday at the end of her last

harbor yesterday at the end of her last voyage across the Atlantic. The ship was the big E. D. Sutton, built at Barth, Me... 25 years ago, and which, as soon as her present cargo it discharged, will be con-verted into a coal barge. The Sutton came from Hongkong, and made the 7,000-mile voyage between the Cape of Good Hope and Baltimore in 42 days, one of the fastest passages ever made by a sailing vessel between those polnts.

EZRA MEEKER'S TRIP.

Has Reached Buffato From Pyalhap in His Prairie Schooner.)

New York, June 12 -- Ezva Meeker of Py allup. Wash., who is traveling to Oyste Boy in a prairie scheener, was in tow esterday to make arrangements for the

yesterday to make arrangements for the trip. He left his vehicle, which is drawn by an ox team, in Buffalo, but will re-join his outly today. Meeker, who went wood in NSC in the same prairie schooner in which he is now returning. house to interest President Roosevelt and through him, the people of the country, in making a grand boulevard of the old Oregon trull. He wants the old road between the Alissouri river and tho Pacific coast perpetuated as a monument to the hardy pioneers whose sacrifiers and on the possible. He expects to ask Congress to pass a hill at the meet sized on appro-priating the modey for the preliminary survey.

AMERICAN HORSES WIN. London, June 12-At the international parameters show at Olympia today Americana were prize winners in pairs with the best appointed road viz. Albert R. MacLay Todkin, first prize, with Rose Worthy and Marguevia Murgrave and Walter Wi-name, second prize, with Barey P. and Ro.

(b) The competition for pairs over and no acceding 15.3 houds (), W. Watson, Lore addinger, and My Garfand, secured third addinger, and My Garfand, secured third

prize. In the class for marce or geldings not under 15.2 hands in belies single horse vic-toria, Aifred G. Vanderhit's The Major took first prize and Mr. Watson's Ludy Baltimore was third.

SAN FRANCISCO JAPS.

It is Said They Will Demand Indem-

nity of United States.

Ban Francisco, June 12.-The Japan residents of Ban Francisco it is said