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# DESERET EVENING NEWS WEDNESDAY JUNE 26 1907

MAY NULLIFY



AUTICE TO BIDDEAS. Proposals for Printing and Binding the "Complied Laws of Utah, 1997." In accordance with the provisions of Section 5, Chapter 3, Laws of Utah, 1997. the State Board of Examiners of the State of Utah, will receive proposals for print-ing, in one volume, four thousand (4,000 copies of the "Compiled Laws of Utah, 1967," and for the binding of three thou-sand (3,000) copies thereof. Bidds for printing to be per page, and binding per volume. Bidders will be permitted to make pro-posals for printing only, or binding enly. All material and work to be in accord. ance with specifications on file in the of-fice of Hon. James T. Harmond, memoer-of Compilation Commission, No. 216-319 McCornick Building, Sait Lake City, Utah.

McCo

McCormck Building, Sait Lake City, Utah. All work to be completed within the time required in the specifications. Each bid must be accompanied with a certified check equal to lo per cent of the amount of the bid to be held upon condi-tion that upon the award of the contract the bidder will faithfully and promotily execute a good and sufficient bond pays-ble to the state, with two survites to be approaced by said board conditioned that he will perform the work for which he has contracted under such rules and reg-ulations as the board may prescribed, and for the faithful performance of the con-tract.

Bids must be sealed and endorsed "Bids Bids must be scaled and endorsed "Bids for printing (or binding) Compiled Laws, 1967," and must be deposited with the secretary of the board room 15. City and County Building, on or before 12 o'-clack noon, July 8th. 1907, at which hour the bids will be opened. The board reserves the right to reject any cr all bids. Hy order of the State Board of Exam-iners C. S. TINGEY, Secretary.

## NOTICE TO CONTRACTORS.

Tense in support of a motion to set aside the bribery indictments against Vice President Louis Glass of the Pa-cific Telephone and Telegraph com-pany and other big corporation of-ficials were retired to positions of comparative insignificance this after-noon by the importance of a new con-tention, presented and argued by Mr. Ghase attorneys, Delphin M. Delmas and T. C. Coogan. If their conten-tion is upheld as sound by Judge Lawior, who has taken it under ad-ciscment and will hear further from counsel tomorrow, all but a minor handful of the Indictments thus far returned by the Oliver grand jury will be set aside as null and void, and all of the late work of the brib-ery-graft prosecution will have to be done over agala. STATE LAND BOARD RESERVOIR

and all of the late work of the brib-ery-graft prosecution will have to be done over agala. Briedy statisd, the charge brought by Messrs. Delmas and Coogan in their effort to have the Glass indici-ments set aside, and which by formal understanding is for the benefit of all of the other defendants as well-Abraham Ruef, Mayor Schmitz, Theo-dere V. Halsey, Patrick Calboun, Thornwell Mullally, Tirey L. Ford, William M. Abbott, Abraham K. Det-veller, Eugene De Sabla, John Mar-tin, Frank G. Drum, G. H. Umbsen and Joseph E. Green—is this: All of the acts performed by the present grand jury since a date early in January of this year are invalid, because the present grand jury ceased lawfully to exist when the new grand jury list for 1997 was certified by the county judges on the date referred to. The constitution, the law and su-preme court decisions as presented to the court oy Mr. Delmas and Mr. Coogan, provide and declare that a grand jury shall be selected at least once a year, and that it shall serve until the next grand jury list is made up by the county judges and returned to the county olerk; that thereupon the existing grand jury shall expire and its place shall be taken by a new bedy chosen from the newly prepared list. The undisputed facts are these: Early in January of this year the grand jury list for 1907 was duly cer-tified by the 12 pudges of San Fran-cisco county and was by them re-turned to the county clerk, but the Oliver grand jury, being in the midst of the shile to facts are these: Early in January of this year the grand jury list for 1907 was duly cer-tified by the 12 pudges of San Fran-cisco county and was by them re-turned to the county clerk, but the Oliver grand jury, being in the midst of its bribery-graft investigations, was not thereupon discharged. Instead it was confinued in existence, under the belief of Messrs. Langdon and Healy that, having been selected in the fall of 1906, it could legally exist for 12 months, or antil the fall of 1907. The grand jury itst for 1907 was NOTICE TO CONTRACTORS. The undersigned Board of Turstees of Scofield School District, Scofield, Carbon County, Utah, will receive bids up to 7:30 p.m. July 25, 807, for the erection of an spoof metrick school building. Plans and specifications can be found at the office of Nell M. Madsen, Scofield, Utah, also at the office of R. C. Watkins, architect. Provo, Utah. Bids will be received in segregated form, for excavating, stone, cement, concrete and brickwork, car-pand galvanized iron work, plastering and cement work, including th, wrought fron and galvanized iron work, plastering and center work, planting, heating appara-tus; also for the building completed, ex-cept heating apparatus. Each bid musi-be accompanied with a certified check of 5 per cent of the amount of bid, which will be returned with all rejected bids; also to the successful bidder upon enter-ing into contract within one week after said work is awarded, otherwise the amount to be forfeifed to said district. The trustees will meet al their office at the above stated lime and date to open reserve the right to reject any and all bids. By order of the board. F. H. MEREWEATHER. Chairman. LARS JENSEN. Treasurer. oliver grand jury proceeded to re-turn scores of indictments against the men named in the months of April adn May just past. Judge Lawlor, in commenting upon the merits of the defense's contention,

LARS JENSEN, NEIL M. MADSEN, Treasurer, Dated at Scofield, June 24th, 1907.

NOTICE.

TRAPPER MINING COMPANY .- No-ice is hereby given, that a special meet



to pay, our offices will be open from \$35 a. m. to 653 p. m. while this book is being prepared. Mails are opened by us six times daily. The good record follows you. We will take pleasure in advising of your payment. Call at this office or remit by Post Office or Express Money Order, Bank Draft

Rooms 77, 78, 93, 94, 97, 98, 99 and 100 Commercial National Bank

"SOME PEOPLE DON'T LIKE US."



GOV. STEUNENBERG General Reeakdown Caused by Defi-A feeling of general weakness, poor appetite, loss of breath after the slight-est exercise and broken sleep are some of the symptoms of general debility. You may think that they have no re-iation to each other and that you will worry along, hoping all the time to feel better soon. This is a mistake, for evry one of the symptoms is caused by had blood, which must be made pure and new before health will be restored again. A tonic treatment is necessary and for this purpose there is no better remeily than Dr. Williams' Pink Pils. Defense Introduced Evidence to Show That Harry Orchard

Made Them.

THREATS AGAINST

# WITNESSES VERY POSITIVE.

# They Also Saw Orchard in Company With Mine Owners' Detective Before Independence Explosion.

Boise, Ida., June 25 .- The first direct testimony in defense of William D. Haywood was offered today and it was chiefly directed toward showing that Harry Orchard, blaming Frank Steunenberg for the loss of his interest in the Hercules mine, had threatened to have revenue by killing him, and that the conduct of Orchard and K. C. Sterling both before the In-dependence explosion, when they were frequently seen together, and after-ward when Sterling called off a blood-hound that was following Orchard's trail, justified the inference that the mine owners inspired the crime. The calling of the first witness for the defense was preceded by a further examination of Orchard to permit the defense to complete its formal in-pearing questions. These questions were mostly all in connection with the claim that Orchard killed Steurenberg because of an aileged grudge growing him, and that the conduct of Orchard

ciaim that Orchard killed Steunenberg because of an alteged grudge growing out of the sale of his interest in the Hercules mine. Orchard, who came in-to court under protection of the same flying squadron of guards that always acts as his escort, maintained his old calmness of manner, and spoke in the same low-pitched, soft tone. He again denied that he ever threatened to kill Steunienberg because of the Hercules mine, and again asserted that he sold his interest in the mine two years be-fore the trouble that drove him out of morth Idaho. north Idaho.

HEARD ORCHARD THREATEN.

HEARD ORCHARD THREATEN. Two witnesses called later in the day swore that Orchard did threaten to kill Steinenberg because of the Hercules matter, and the defense has prepared the way for such testimony from a dozen wore witnesses. The two heard today were F. R. Redd, once of Cripple Creek and now of Goldfield, Nev., and the other Charles A. Sull-van, formerly of Cripple Creek and how a watchman in the Brown hotel in Denver. Redd said he heard Orchard make the statement and threat in the miners' hall in Cripple Creek, and Sul-livan sword that while he and Orchard were fellow boarders at John Neville's place in Cripple Creek. Orchard re-peatedly said that buf for Steuenberg he would be a rich man and that he intended to kill him. The cross ex-mination showed that both were mem-bers of the Western Federation of Min-

amination showed that both were mem-bers of the Western Federation of Min-ers and that Sullivan was a friend of Haywood, Moyer and many of the union leaders at Cripple Creek. Dr. I. L. Gee, a mining broker of the Coeur d'Alenes, another impeach-ing witness, swore that Orchard told him in 1904 at Wallace. Idaho, that he was a "spotter" for a detective agency. Orchard denied this conversation, de-nied that he was in Idaho at any time nied that he was in Idaho at any time in 1904.

### WOMEN WITNESSES.

WOMEN WITNESSES. Several witnesses, principally wo-men, who kept lodging houses at Cripple Creek, located Orchard at various conferences with Sterling, the detective for the Mine Owners' asso-ciation, prior to the Independence ex-plosion, and there was further show-ing as to meetings between Orchard and D. C. Scott, the detective for the Florence & Cripple Creek railway. Another witness told of the effort to locate the men guilty of the Indepen-dence station outrage by starting a bloodhound from the chair rung used in pulling off the mine explosion.

PALE, WEAK PEOPLE **Baby Needs Strength** as Well as Fat MADE STRONG AND ENERGETIC BY DR. WILLIAMS' PINK PILLS. Every mother tries to guard

# cient Blood, Quickly Corrected by This Tonic Remedy.

sound mind and body. Sanipure Milk is next best to mother's milk. The formula is on every can.

Mothers should know that baby's food contains all the ingredients of mother's milk - in right proportions. Read about this - in our valu-

and

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If your dealers haven't Sanipure Milk, sendus the names of your Druggist and Grocer and we will send you free, a sample can and our book-let. "Baby's First Days."

PACIFIC COAST CONDENSED MILK CO.

The period of the period of the period perio 'I was finally forced to give up a position I had held for twenty-eight years. After trying several medicines without help, I read of Dr. Williams' Pink Pills and gave them a trial. They made me feel so much better and so much stronger that I started in busi-ness for mysoil here in Chelsea. I much stronger that I started in busi-ness for myself here in Chelsea. I have never had a return of my former sickness and cheerfully recommend Dr. Williams' Pink Pills as an excel-lent nerve and blood tonic." Dr. Williams5 Pink Pills have long been recognized as an excelent tonic remedy in cases of indigestion and general debility, where the stomach and other organs of the body are weakened and disorede simply

been in the aggressive, concluded Mr. Darrow. "They determined to get rid of this organization and it is only by taking both sides that the truth can be arrived a?" and other organs of the body are weakened and disorede simply through lack of proper nonrishment. They have also been especially suc-cessful in curing anaémla, rheuma-tism, after-effects of the grip and forars be arrived at.

to Cripple Creek, where he was put in the buil-pen and held four days with-out trial and without any charge being

out trial and without any charge being laid against him. Cross-examined by Mr. Hawley.Redd said he was a member of the West-ern Federation of Miners and had been a member since the organization was formed. It was the day after the Independence depot explosion that he was taken to the bull-pen.

IN THE BULL-PEN.

Military officers were in control of the bull-pen, where there were 150 men confield, when the witness was arrested. Asked if he did not know that the military were merely investi-gating the depot maiter and that as soon as they learned a man had noth-ing to do with it he was allowed to go, Redd said he knew nothing about it at all. The witness was at Clyde, Colo., when arrested. He said he had never seen Steve Adams until he came Colo., when arrested. He said he had nover seen Steve Adams until he came

INDICTMENTS baby's health-but the food that

able booklet, "Baby's First Days."

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the jury and then shut the defense off In its purpose to present the other side of the case and show who was re-sponsible for theacts complained of. Mr. Darrow once more made the declaration barrow orchard committed the crimes he has confessed to be acted for some other than the Western Federation of Miners. The whole history of the labor struggles associated with the Western Federation of Miners could alone heate the committed by a some beat

the responsibility, declared the attor Ever since this strife between the

be arrived at." Senator Borah entered the argument to suggest that the defense, to open up the labor troubles in Colorado, must have a specific theory in view-some one to connect the matter with. Judge Wood allowed the witness to give his experience. Redd said he was arrested by several deputies on June 7, 1904, and taken aboard a train to Crinnle Creek, where he was put in Blood," and a copy of our diet book will be sent free on request to any one interested. the

never seen Steve Adams until he came to Boise. Redd was released by the colonel commanding the bull-pen, who told him in leaving that if he was molest-ed to let him know and he would see that he was released. The witness said the colonel also advised him that it might be a good plan to leave Cripple Creek while existing conditions pre-vailed. He left two days later and has not been back since. Charles A. Sullivan, watchman at the Brown hotel, Denver, and a form-er miner in the Cripple Creek district, followed Redd on the witness stand. Sullivan said he knew Orchard at Cripple Creek in 1902. He then detailed the statement Orchard is alleged to have made to him and which Orchard denied this morning. Sullivan said Orchard declared that if it had not been for Steunenberg he would be rich; that Steunenberg ought to be killed, would be killed, and, if he was not killed, he (Orchard) would kill him..

Disaster.

makes baby fat is not necessarily making him strong, healthy-of

Returned True Bills After Its Legal Life Expired-Further Arguments

Are to be Heard

San, Francisco, June 25.—All of the various grounds urged by the de-ense in support of a motion to set aside the bribery indictments against

over again.

Our Rating Book is being complied. To give everybody an opportunity or Check, or Registered Letter, and get our receipt. **MERCHANTS' PROTECTIVE ASSOCIATION** 

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Dr. Williams Phik Phik are sold by all druggists, or sent, postpaid, on re-ceipt of price, 50 cents per box, six boxes for \$2.50 by the Dr. Williams' Medicine Company Schenectady, N. Y. toward Colorado Springs. At a water tank Blizard called up K. C. Sterling

on the telephone. Senator Borah objected to any con-versation between the witness as hearsay. He declared that the de-funse had the right to show that some one other than Orchard blew up the Independence depot if it could, but the evidence must be competent and not hearsay.

the evidence must be competent and not hearsay. "We expect to show," said Atty. Dar-row in reply, "that K. C. Sterling was responsible for the blowing up of the depot, that he knew all about it and we expect to connect Orchard with the Mine Owners" association." "Upon that showing the evidence will be admitted," declared Judge Wood,

A pamphlet on "Diseases of the Blood," and a convert

Dr. Williams' Pink Pills are sold by

"CALL THE DOGS OFF."

'I called Stering up and told him the dogs were on a good, safe trail. He said: 'Call the dogs off; we know who did it.' I called the dogs off. Some days iter I saw Sterling and he told me the eason he called the dogs off was that e knew who caused the explosion; that i was Steve Adams." On cross-examination Blizard said he

did not know either Orchard or Adams, that Sterling told him nothing about Adams other than that he was the man

who blew up the depot. Bilzard declared that the Indepen-dence depot was used as a stopping blace, but there was no ticket agent Blizard was followed on the stand

Bilizard was followed on the stand by Dr. A. L. McGee, formerly a physi-clan and surgeon in the Coeur d'Alenes and is now a mining broker. "Where do you live?" asked Darrow. "On Coeur d'Alene lake." "Right in the water?" "No-on a boat," replied the witness amid laughter. He said he had known Orchard since 1897, Orchard delivered milk to his house. The day of the Bunker Hill and Sullivan mill explosion at Wardner, Dr. not killed, he (Orchard) would kill him. Sullivan was cross-examined by Sen-ator Borah. He said he had known Haywood since 1903 and was also ac-quainted with Moyer, though he had never met Petilbone. He joined the Western Federation of Miners in 1902 and he was acquainted with Bill Eas-terly, W. F. Davis, Sherman Parker, Bill Aikman, Art Baston and Ed Min-ster. The witness met Orchard in July, 1902. The conversation as to Gov. Steunenberg occurred in September, and there was no one present but the witness and Orchard. Sullivan declared that Orchard red-peated his denunciation of Steunenberg several times at the breakfast table, but there was never any one else pres-ent. He had never communicated what Orchard had said to anybody un-til after the trial had started. He then told an acquaintance, who brought one of the attorneys for the defense to see him. Orchard told the witness he was at Wardner when the Bunker Hill & Sul-Sullivan mill explosion at Wardner, Dr. McGee said he thought he saw Orchard at Mullen-18 miles distant. "I am not sure of it, but if I am not mistaken I saw Orchard playing poker." that day in a saloon or cigar store." said the witness. Dr. McGee also related a conversation he had with Orchard in the Coeur d'Alenes in 1905. Orchard, according to the witness said he was "spotting" for sullivan mill explosion at Wardner, he had with Orchard in the Coeur d'Alenes in 1905. Orchard, according to the witness, said he was "spotting" for a detective agency. On cross-examination the witness said he saw Orchard at the depot one day at Wallace, Ida., talking to a man named Cunningham, Orchard claims he gave the Peabody bomb to a man named Cunningham who said he want-ed to blow up a "scah" building house. The witness positively fixed the time of his conversation with Orchard as the latter part of July, 1904. D. C. Scott, who came to Boise in be-half of the state, was called to the stand to establish the identity of K. C. Sterling, who it was claimed was a se-cret service man in the employ of the Mine Owners' association in 1903 and several years thereafter. CALLED STEUNENBERG NAMES. one of the attorneys for the derivative see him. Orchard told the witness he was at Wardner when the Bunker Hill & Sul-livan mill was blown up. He did not say he had helped to do the job. Court here adjourned until 9:30 a. m. tamorrow. tomorrow

Claimed by Glass' Counsel That All Acts of Oliver Grand Jury Are Invalid.

SHOULD HAVE BEEN NEW ONE.

In outling off the mine explosion. He said the dog took the road to Colorado Springs, the one over which Orchard fled in the night, and that when he reported to Sterling he got orders to call the dog off. Sterling said he knew who blew up the sta-tion and later said that Sieve Adams had done so had done so. The state fought the admission of

The state fourn the atmission of the bloodhound story, and also op-posed the admission of evidence cov-ering general features of the Colo-rado labor war, but in both instances the court ruled with the defense.

### AFTERNOON SESSION.

Ira Blizard of Cripple Creek, a railway conductor and yardmaster, was called to the stand as the first witness after recoss. "Did you restlfy before the United

States commission appointed to in-vestigate the Cripple Creek disturb-ances?" asked Mr. Darrow. "No, sir," replied the witness. "Do you know K. C. Sterling?" "Yes, sir."

"Do you know K. C. Sterlink" "Yes, str." The winess said he understood Sterling was in the employ of the Mine Owners' association and he had communicated with Sterling at the headquarters of the association. Bliz, and was contracting freight agent of the Florence & Cripple Creek railroad at the time of the Independence de-pot explosion. He immediately went there and saw the wire and chair rung which served as closs. The defense chains the Indepen-dence depot was all but an abandon-ed afair, and that its destruction unight have been planned by others than the West-rn Federation of Min-ers.

"What sort of a depot was it?" ask-ed Mr. Darrow of the witness. "The depot was in good condition," replied Blizard. "It was a nice, up-to-date station with a good waiting reem. It had a platform in front of it."

BLOODHOUNDS PUT ON TRAIL.

The witness next told of putting the bloodhounds on the trail of the men who were supposed to have perpetrat-ed the outrage.

od the outrige. The prosecution objected on the ground the dogs had not been qualf-fied, but Judge Wood allowed the evidence to go In. Bilzard detailed the route taken by the dogs, who went prosecution could not pick out of the history of the past few years the isolat-ed incident if wonted to place before

To the joy of the household, for without BY'S it no happiness can be complete. How

sweet the picture of mother and babe. angels smile at and commend the thoughts and aspirations of the mother bending over the cradle. The ordeal through which the expectant mother must pass, however, is so full of danger and suffering that she looks forward to the hour when she shall

feel the exquisite thrill of motherhood with indescribable dread and fear. Every woman should know that the danger, pain and horror of child-birth can be entirely avoided by the use of Mother's Friend, scientific liniment for external use only, which toughens and randers

pliable all the parts, and assists nature in its sublime work. By its aid thousands of women have passed this great crisis in perfect safety and without pain. Sold at \$1.00 per bottle by druggists. Our book of priceless value to all women sent free. Address



Section 1

TRIP IN AN AIRSHIP. Very Successful at First it Ends in

CALLED STEUNENBERG NAMES. Next came F. R. Redd, a miner; now living at Goldfield, Nev., but formerly of Cripple Creek. Redd said he had known Harry Orchard a long while. In Union hall, No. 40, at Cripple Creek in 1903, he said he had a conversation with Orchard in which the latter called Construction had a conversation New York, June 25 .- A big cigarshaped airship, in charge of Lincoln Beachey, sailed across the bay from Staten Island today, circled above Brooklyn, swept over the East river and alighted gently in the midst of a crowd lov. Steunenberg hard names and said to was responsible for his (Orchard's) loverty and that he would get even with the governor. numbering thousands in Battery park.

A few moments later the operator set the machine in motion again and the shin rose to an altitude of about 500 feet and started northward over the skyscrapers of Manhattan Island. Mr. Beachy then sent his airship over the East river toward Long Island again In some manuer he collided Mr. Darrow here precipitated a heated and longthy discussion by asking the witness to detail his personal experi-nces in the Cripple Creek labor trou-bles. Mr. Hawley voiced for the prosewound. In some manner he collided with a spindle which marks a ledge at the Sunken Meadows, his airship was badly damaged, and he was thrown in-to the river. He was rescued by a bles. Mr. Hawley volced for the prose-cution a strenuous objection, declaring the labor war in Colorado had nothing to do with the inquiry into the murder of Gov. Steunenberg. He declared the question was asked for the purpose of possibly arousing sympathy by show-, ing the Colorado militia may have done things it ought not have done. Mr. Darrow in reply asserted that the prosecution could not tack out of the boatman much exhausted.

LIQUOR TRAFFIC.

Indiana Supreme Court Holds State Has Right to Control It.

Indianapolis, June 25.—The Indianat supreme court held today that the state has the right to regulate traffic in li-quots. A decision by Judge Christian of Hamilton county is reversed. The lower court held that the saloon is an evil per se, and the state has no right to brense it.

## ANTI-MILITARISTS ACQUITTED.

Paris, June 25.-The 10 "anti-mili-tarists" who signed the manifesto which was placarded on the walls of Paris May I. appealing to the powers to Join the workmen and fight against capital, were acquitted today by a jury.

## ENFORCING ANTI-OPIUM LAW.

Pekin, June 25.—An edict issued to-night orders all officials strictly to car-ry out the anti-opium edict and com-mands an investigation into the quanti-ty of land at present devoted to the cultivation of opium.

THREE DEATHS FROM HEAT.

Pittsburg, June 25.-Three more deaths from heat occurred here today, making a total of 14 fatalities since

"The question for the court to de-termine is one of jurisdiction, wheth-er the returning of the grand jury list for 1907, op rated as a legal ter-mination of the life of the grand jury which found these indictments or whether the mere act of the filing of these indictments with the court gave the court jurisdiction to proceed in the course laid down by the legisla-ture to try these defendants. Of course, if this grand jury has no ex-istence in law, its acts have no valid-ity and the indictments must be set aside. The court will welcome any first and the indictments must be set aside. The court will welcome any further light that coursel may be able to afford. The hearing is con-tinued until 11 o'clock tomorrow."



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