

EXPLOSION IN VINDICATOR MINE

Defense in Haywood's Case Attacks Orchard's Account Of the Disaster.

NON-UNION MINER'S STORY.

Thomas Wood, Who Was in Mine at the Time, Says the Disaster Was an Accident.

Boise, Ida., June 28.—The attorneys for William J. Haywood continue to center their efforts on the discrediting of Harry Orchard and the establishment of their claim that Orchard killed Frank Steunenberg in revenge for the loss of his interests in the Hercules mine. Today they directly attacked the Vindicator explosion with the testimony of a witness that made it appear accidental, rather than criminal.

Thomas Wood, a non-unionist, who entered the Vindicator mine as a timberman after the strike began, swore that the night before the explosion he placed a box containing 25 pounds of dynamite at the shaft of the eighth level. He saw the powder the next morning shortly after 10 o'clock, and a few minutes later Supt. McCormick and Foreman Beck came to the eighth level. They remained but a short time, and left to go to the sixth level, where they were killed. Wood swore that when he reached the shaft, 20 minutes later, the powder was gone, and it is a reasonable inference that McCormick and Beck took it with them.

THE FAMOUS REVOLVER.

Wood testified that he had seen a revolver in Beck's pocket, that the fragments of only one revolver were found on the sixth level, and that the bodies of McCormick and Beck were blown apart, indicating that the explosion had occurred between them. Orchard had said that he fired a revolver with a wire attachment, so that when the safety-bar was raised it would send a bullet in the giant powder he had placed. One witness for the state has sworn that he later found a wire attached to the safety-bar, but Wood, who was among the first to reach the sixth level after the explosion, said that he carefully examined the safety-bar and found nothing attached to it. Wood gave his testimony in a clear and forceful manner, and told a thrilling story of the climb to safety of the men cut off by the explosion below the sixth level.

SAY ORCHARD THREATENED.

William Eastley, who concluded his testimony this morning, and D. C. Copley, who was called this afternoon, both swore that they had heard Orchard tell of the loss of the Hercules mine and threaten to kill Steunenberg for it. On cross-examination the state scored them both, and particularly Eastley, who received two letters and one telephone message from Orchard on the eve of the killing of Steunenberg, for remaining quiet when they knew a crime had been committed. Eastley contended that he did not know Steunenberg lived at Caldwell, and explained that although he knew "Thomas Hogue" was Harry Orchard, he took no steps immediately after the crime, except to consult counsel for the federation because he was not an informer, and Copley asserted that he did not take Orchard seriously when they met in San Francisco and he told him of the Bradley crime.

There was a further showing as to the work of the hands at the independence station, which the defense said went first to the house of a deputy sheriff, and then down the road that Orchard took on his flight to Denver and on to Wyoming, and finally and redemptly from Eastley and Copley of any form of misconduct on the part of the members of the Western Federation of Miners.

AFTERNOON SESSION.

The first witness after recess was C. A. Collins, of Leadville, Colo., a railroad brakeman, who was a miner at the time of the Independence depot explosion. He told of two bloodhounds being brought there and put upon the scene. They circled about some dogs brought up at a cabin occupied by Al. Beemore. The last he saw of the dogs they were being taken toward the Vindicator mine.

Cross-examined by Mr. Hawley, Collins said he had once belonged to the Western Federation of Miners. He was twice arrested by the military following the Independence depot affair and thrown into the "bull pen." He was

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also arrested once by the civil authorities and convicted of being drunk and disorderly.

You also were arrested for creating disturbances among non-union men?" "No, sir."

Collins said his house is but 125 feet from the wrecked depot. The explosion broke two windows in the house and stopped a clock. He and his mother and three brothers were awakened by the blast, but none had curiosity enough to look out and see what had happened. They went back to bed and to sleep. Collins said he knew Steve Adams, but hadn't seen him around Independence for some time prior to the explosion.

L. F. Taylor, of Independence, Colo., a miner and former member of the Western Federation of Miners, also testified as to the action of the bloodhounds in taking the scent twice from the wire and chair round at the depot and running to Al. Beemore's house.

"Who was Beemore?" asked Darrow. "He was a deputy sheriff and at one time marshal of Independence."

"Was he in the employ of the mine owners?"

"He was generally supposed to be," the last answer was stricken out as hearsay.

On cross-examination Taylor said he saw Beemore at the depot the morning after the explosion. Atty. Hawley tried to show by the witness that Beemore had gone to the scene of the explosion immediately after it occurred, and returned directly to his hut. Taylor said Beemore was there early the following morning. He could not say as to his presence immediately following the explosion.

Taylor said he had not been a member of the union for a year prior to the wrecking of the depot, he was the only person who disturbed during the reign of martial law.

NON-UNION MINER'S STORY.

Thomas Wood, a native of Scotland, a non-union miner, who was at work as a timberman in the Vindicator mine at the time of the explosion, was the next witness offered by the defense. Wood said the day before the explosion he placed half a box of dynamite on the water-barrel near the shaft of the 800-foot level. When he started to work the night of the explosion, he saw the box where he placed it. He passed McCormick and Beck, subsequently killed in the explosion, coming out of the level. Half an hour later the explosion occurred. Rushing out of the level, Wood said he noticed the powder was gone. The explosion occurred on the sixth level, where it was planned to work the night McCormick and Beck were killed.

It became evident here that the defense planned to show the Vindicator explosion was an accident. McCormick and Beck having taken the half box of dynamite to the level where work was about to begin.

Orchard in his testimony said the explosion in the Vindicator was caused by a revolver being attached to the lifter-bar of the cage. Wood testified today that when he saw Beck in the eighth level he saw a revolver in his pocket. When he found the bodies of McCormick and Beck he also found the remains of a revolver on the ground. Wood gave a graphic description of the flight of the Vindicator following the explosion, some of them climbing up the 800-foot shaft, only to find that at the sixth level ladders had been broken by the force of the exploding dynamite.

During his cross-examination by Senator Borah, Wood identified the pieces of the revolver which the prosecution introduced in evidence as a verification of Orchard's testimony. Wood said that in leaving the eighth level, when he noticed the disappearance of the dynamite there was great confusion.

"It was a matter of life and death with which you were concerned, was it?" asked Senator Borah.

"Yes, sir," said Wood. "I wanted to go home, that is all."

Wood said he searched carefully everywhere around the scene of the explosion but found nothing of importance except the fragments of the revolver.

"You looked very carefully?" asked Senator Borah.

"Yes, sir; I did; and I looked for the fragments of the revolver, but I didn't find it."

J. C. COPLEY.

J. C. Copley, now a watchmaker and jeweler at Mina, Nev., formerly a miner and leaser at Independence, Colo., followed Wood on the stand. Copley said he joined the Western Federation of Miners in 1896 and continued a member up to about a year ago. For two years he was a member of the executive board. Copley organized the Colorado City Smeltermen's union. It was in connection with this union that the labor troubles in Colorado started.

"You are the responsible party, are you?" asked Darrow.

"I've been accused of it," said Copley. The witness told of initialing into the union a man named Crane, who became recording secretary before it was discovered that he was a detective.

As a member of the executive board, Copley said he had quite a good deal to do with the Cripple Creek strike. The men were always counseled, he declared, to maintain peace and order. Copley said he was not in the district at the time of the Vindicator mine explosion, Nov. 21, 1903. He returned in December and was immediately arrested and held in the "bull pen" several days. He was released to go to Georgetown, Colo., to stand trial before a jury for alleged conspiracy to blow up the transformer house at the Sun and Moon mine, Idaho Springs, Colo. He was acquitted of the charge.

Copley met Orchard at Cripple Creek in November, 1903. He did not see him in Denver following the Independence explosion. He met Orchard, Davis and Neville in Pat Moran's saloon in Cheyenne while enroute to Omaha. Copley said he left Denver on the advice of an old friend, who said the leaders of the federation were about to be arrested.

Copley eventually, at the suggestion of Haywood, made a tour of the west, giving an illustrated lecture on "Cripple Creek Cruelties," showing conditions in the district during military rule.

At a lecture in San Francisco Dec. 4, 1904, Copley said he saw Orchard. He had no idea what he was up to this time. Orchard came to see him four or five days later, and asked what he thought of the Bradley affair, saying Bradley was one of the "Coeur d'Alene" gang who had got "what was coming to him."

He told me that Gov. Steunenberg would get the same dose," continued Copley. "He said he once owned an interest in the Hercules mine, and seemed to have a grudge against Steunenberg. Orchard told me he was making a living gambling with the soldiers at the Presidio."

PROPOSITION BY ORCHARD.

Copley said Orchard asked him if he thought it a feasible plan to drill into the edges of \$20 gold pieces, extract some things and fill in the holes with base metal. The witness advised him against any such plan, saying he could only make wages out of it and would eventually land in the penitentiary. Copley gave Orchard permission to come to his room and change his clothes—(s don the soldier's uniform in which Orchard went back to Denver).

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"No. He said he wanted to get back to Denver, and unless he was disguised he feared arrest for being connected with the strike."

"Didn't it occur to you that he was disguising himself to get out of San Francisco?"

"No, sir; I gave no thought to that."

Copley said he never saw Pat Moran at any place but at his saloon in Cheyenne.

"How did you happen to go to Moran's saloon?"

"It was the first one I struck going up the street from the depot," replied the witness amid laughter.

"Who was the old friend who told you you had better leave Denver?"

"A member of the police and fire board."

"What was his name?"

"Well, it didn't come direct from him to me. It came through a third party, whose name I have forgotten."

"Who was the original friend?"

"T. S. Kemp."

"Did Orchard say anything to you in San Francisco about Pettibone being his banker?"

Taking up the redirect examination, Atty. Darrow asked:

"Did Orchard tell you he had blown up the Bradley house?"

Wood said the day before the explosion he had something to do with it, but he didn't take any stock in the man and didn't believe he had."

"Court here adjourned until 9 a. m. tomorrow."

THE MAGIC NO. 3.

Number three is a wonderful mascot for Geo. H. Harris, of Cedar Grove, Me., according to a letter which reads: "After suffering much with liver and kidney trouble, and becoming greatly discouraged by the failure to find relief, I tried Electric Bitters, and as a result I am a well man today. The first bottle relieved and three bottles completed the cure." Guaranteed best remedy for stomach, liver and kidney troubles. By Z. C. M. I. drug store, drugists.

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Doctors Mayo and Wherry wish to announce the removal of their offices from the Deseret News building, suite 22-2-5 Mercantile Annex, over Walker's Dry Goods Store.

A FAMILY TRAGEDY.

Sisters-in-Law, After Drinking, Quarrel, One Killing the Other.

Warrensburg, Mo., June 28.—In a family fight last night near Bristle Ridge, a small settlement six miles southeast of this city, Mrs. Walter Herd killed Mrs. James Herd, her sister-in-law, slashing her throat with a butcher-knife. According to the report of the affair, the woman, with her husband, had been drinking and a quarrel ensued in which the women led the fight. Mrs. Walter Herd seized a butcher-knife and attacked her sister-in-law, cutting Mrs. James Herd's throat in a horrible manner, and causing a wound from which she died. The police of Warrensburg were notified this morning and went to the scene.

ICE DRIVERS ON STRIKE.

New York, June 28.—Fifteen hundred to 2,000 drivers of delivery wagons of the American Ice company went on strike today to enforce a demand for extra pay for extra work. The depots of the company were stored with ice, and its arrival was urgently awaited by thousands, but hardly a wagon of the ice company was moved.

President Cole of the company said that if the strikers do not return to

work by tomorrow their places will be filled by new men.

"The strike," he declared, "is for the purpose of compelling the company to force its drivers and helpers to join the teamsters' union, or to discharge them. We will not force the men into a union, nor have we a desire to force the men out of the union."

KILLED BY PREMATURE BLAST.

Butte, Mont., June 28.—A Miner special from Missoula says Gus Weckman was killed and John Field and Harry Larson were seriously injured in a premature blast at Hell Gate today. The men were working on the Northern Pacific grade. Neither of the injured can talk, and how the accident happened is not known.

A FORTUNATE TEXAN.

Mr. E. W. Goodloe, of 107 St. Louis St., Dallas, Tex., says: "In the past year I have become acquainted with Dr. King's New Life Pills, and no laxative I ever before tried so effectively dispelling malaria and biliousness." They don't grind nor gripe. 25c at Z. C. M. I. drug store.

STANDARD OIL CASE.

Pindley, O., June 28.—The jury in the case of the state of Ohio against the Standard Oil company, charged with violating the anti-trust laws, this morning reported to Judge Duncan that it had been found impossible to agree upon a verdict. The court thereupon ordered the jury discharged.

According to rumor, the jury when it first retired stood six for conviction and six for acquittal. Subsequently, it is said, the jury stood eight to four for acquittal, and when the disagreement report was brought in the vote stood 7 to 5.

The case was given to the jury on Wednesday last.

ISTHMIAN AFFAIRS.

Taft Denies That Administration is Disatisfied Over Them.

Washington, D. C., June 28.—"It is a tissue of falsehoods," said Secy. Taft today when his attention was called to the reports of dissatisfaction on the part of the administration of the management of affairs under the isthmian canal commission, and of the intention of the officers engaged in the work to relinquish it and return to the United States.

The secretary was very emphatic in his declaration, that he had not received a single communication from Lieut.-Col. Goethals showing in any way that he was dissatisfied or decided to end his connection with the work.

"No immediate change is contemplated in the administration of affairs on the isthmus," continued the secretary, "and there has not been a single kick of any sort. There is no truth in the story of the army officers asking for leaves of absence to return to the United States."

INSURANCE MEN INDICTED.

New York, June 28.—Indictments charging a conspiracy and forgery against George B. Scruggan, manager of the International policyholders' committee, and Charles F. Stirrup, an employee, and one of the company against Charles Warrington, another employee, were returned today by the county grand jury. The charges grow out of the recent "election" of trustees of the New York Life Insurance company.

TWO MASKED HIGHWAYMEN

Hold up a Southern Pacific Operator, Who Showed Fight, Driving Them Off.

PISTOL SHOTS EXCHANGED.

Operator Feigned Injury, and When Robbers Entered Office, He Opened Fire on Them.

Santa Barbara, Cal., June 28.—The night operator of the Southern Pacific at Guadalupe, a small station on the Coast Line in the northern part of this county, was held up by two masked highwaymen about 1 o'clock this morning, and after a thrilling pistol duel in which 10 shots were exchanged, succeeded in driving them off and frustrating their attempt to rob the company's safe. The night operator, whose name is unknown here, had just locked up the window when two masked men entered the waiting room. They proceeded immediately to the window and called to the operator to throw up his hands. Instead of complying the operator grabbed his pistol which lay immediately in front of him on the top of the safe and facing quickly about, fired a shot at the men. The robbers, standing with their pistols drawn, returned the fire.

The operator dropped to the floor at the first shot from the highwaymen, feigning injury. As the robbers ran around to the door of the office and started to enter he raised up and fired at them again. Pulling the trigger rapidly he emptied his gun. The robbers again returned the fire, but none of the shots took effect. At this juncture Day Operator Green, who was asleep in the second floor of the depot, rushed down the steps to the waiting room. The highwaymen heard him coming and fled from the building. They were seen making their way across the tracks where they disappeared from view. A sheriff's posse started in pursuit of them a few hours afterward and the officers are hopeful of overhauling them. The robbers are unquestionably desperate characters and if they are overtaken by the posse a bloody fight will undoubtedly occur. One of the men was tall and heavily built. His companion was of shorter stature.

The same men held up Campobello, a banker and principal merchant of the town, about two weeks ago, and demanded of him a large sum of money. He had no money with him and being folled in their attempt they told the banker they would write him a letter on the subject. A few days later he received the letter, threatening him with bodily injury unless he left \$500 at a certain point on the railroad track. Campobello sent men with a pack of iron washers which they left at the spot indicated, but no one was seen to go there for it.

INHUMAN TREATMENT.

Supt. Trelford of N. M. Penitentiary Summarily Removed.

Santa Fe, N. M., June 28.—Acting Gov. J. W. Reynolds, yesterday summarily removed Arthur Trelford of Leavenworth, Kan., from the superintendency of the territorial penitentiary upon report of Atty.-Gen. George W. Prichard, as referee, that charges of inhuman treatment of convicts had been proved. Gov. Reynolds appointed Marion Lattrel, formerly of Arkansas, for five consecutive terms sheriff of Colfax county, to succeed Trelford.

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- H—Has one or more accounts against for collection.
- I—Voluntary bankrupt.
- J—Always promises, but as often has excuses why could not pay.
- K—Involuntary bankrupt.
- L—Pleads that bills are outlawed.
- M—Has habit of disputing bills.

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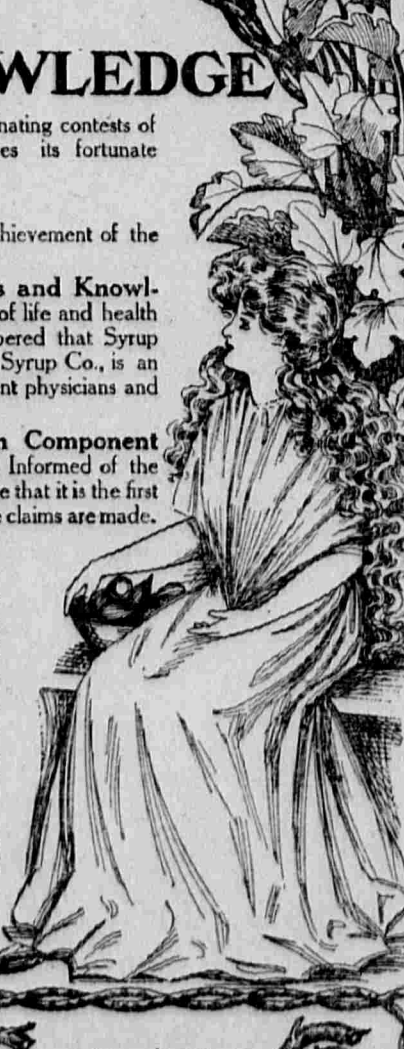
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