DESERET EVENING NEWS. There are clues to a dozen little ro-If you own a lot, and want to sell it-YOU are a prospective want advermances in real life in today's classified ads. TRUTH AND LIBERTY. 10 PAGES -- LAST EDITION MONDAY JUNE 24 1907 SALT LAKE CITY UTAH FIFTY-SEVENTH YEAR it at Cripple Creek and at many other places, DARROW OPENS BAD COLLISION DEMURRAGE ON leasing and fencing of the unoccupied domain meet with the approval of people here, FISH CAPTURED DONALDSON PINKERTON DETECTIVE AGENCY. PINKERTON DETECTIVE AGENCY. "We will show that the Pinkerton detective agency, has been the chief factor in this case from the very be-ginning. They have organized them-selves into a band to spread calumny against the Western Federation of Miners. We will show that in one case, when a cage fell, because of defective machinery and 16 men were killed it was laid to the Western Fed-eration of Miners. "The burning of the Moscow uni-versity was laid to the leader of the Western Federation of Miners, Every illegitimate child born west of the Mississippi has been wrapped in its twaddling clothes, hurried to Denver and laid on the doorstep of the West-ern Federation of Miners." MINERS' MAGAZINE. FOR HAYWOOD ON A SHARP CURVE HARRIMAN LINES IN KITCHEN TAP OLD FOLKS DAY. CASE IN COURT Gray-Haired Veterans Will Make Merry at Lagoon Tomorrow. At \$:45 o'clock tomorrow morning, SaysHawley of Prosecution is New York Central Passenger Figures Compiled Show a Dis-Champion Story of the Season and again at 10 o'clock there will be One of Principals in Ten Thou-Godfather of Western Fedscursion trains for the "Old Folks" Train Crashes Into a tinctly Interesting State of **Comes From Residence** f Salt Lake leaving Lagoon depot or the "Prettiest spot in Utah," where the old folks will hold their ansand Dollar Robbery Scaneration of Miners. Affairs on Big System. Freight Train. On Ninth East. dal in Court. nual festival during the day. An claborate program has been prepared, and a big holiday is expected for those ORCHARD GREATEST OF LIARS. FIVE PERSONS WERE KILLED. 3.632 CARS ARE DAILY HELD. who attend. ALL PIPES WERE STOPPED UP. TALESMEN BEING SELECTED. MINERS' MAGAZINE. Mr. Darrow tyrned his attention to the Miners' Magazine. He said that probably many toolish and intem-perate things crept into it, but the editors had no college education and Moyer and Pettibone paid little atten-tion to it. NOT YET APPREHENDED. Will Show That He Did Not Par-Smoking Car Telescoped-It is Ex-Shippers Fail to Unload That Number But When the Outlets Were Opened Assailants of Dr. Jelvosek, Who Rob-But Two Left in the Jury Box ticipate in Most of Crimes plained That Freight Conductor For-And Hold Them Every Day Accordbed and Mistreated Him, Still at Large.

Defendant is a Plain, Blunt, Courageous Man Who Fights Wrong At All Times.

He Boasts Of.

Boise, Ida., June 23 .- The Haywood trial was resumed at 10 this morning, when Clarence Darrow began the opening address in behalf of the defense.

A great crowd gathered this morning in the room where Wm. D. Haying in the room where Wm. D. Hay-wood is on trial, to hear the speech of Clarence Darrow, of Chicago, outlining the purposes of the defense in com-bating the evidence put in by the state. The formalities of opening the session at an end, Mr. Darrow at once took up his place directly in front of the 12 solemn-visaged men in the jury box and began in the slow, mellow drawl characteristic of bim to state the the-ory and plan of the defense to be of-fered for his client.

DARROW TO THE JURY.

Mr. Darrow reminded the jurors of the instruction given them by the court that they are to keep their minds en-tirely open as to the guilt or innocence of the accused man until all the evi-dence from both sides has been intro-duced

dence from both sides has been intro-duced. "You have listened to the theory and the evidence of the state," Mr. Dar-row proceeded. "Mr. Hawley has cov-ered 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 Gov. Steuhenberg. There had to be some nominal charge. But the state has told you the case rests upon a great conspiracy of which the de-fendant among others is a part. "The state's attorney has told you the murder of Gov. Steunenberg was but an incident. They have told you the Western Federation of Miners was au organization to commit murder, to control politics, to hire lawyers and other criminal things. "Part of this is true, part of it is not true. It is true there is a labor organ-ization know as the Western Federa-tion of Miners. It is true the Western Federation of Miners has spent money for lawyers. It was unfortunate, but most people have to emply lawyers at some time or another.

most people have to employ lawyers at some time or another.

BIRTH OF THE FEDERATION.

"This organization was really born in 1892-1893, right down in a cell be-neath this courtroom where Ed Boyce, the first president, was a prisoner, and where now the three men phased with where now the three men, charged with this mufder, are awaiting the judg-ment of this jury. To start out with, they hired lawyers and they hired the best they could. They hired Mr. Haw-ley, now the leading counsel for the state. Mr. Hawley laid out the plan of their organization for them; he ad-vised them; he was the godfather of the Western Federation of Miners and the men who formed the organization where now the three men, charged with



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 16 passengers were instantly killed. Among the victims were a son of the engineer of the ritory. freight train, who was in the cab with his father, and who died this morning. and a brakeman. Engineer Lyong, who was brought to Rochester with the dead and injured on a special train is not expected to live. There are 12 injured in Rochester hospitals, all of whom with the ex-ception of Lyons, are expected to re-

d'Alenes. "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 boyonet was driven into his breast The passenger train had only been running a short time, running on Saturdays and Sundays. It is expect-ed the conductor of the freight train forgot that the passenger train was running. THE DEAD.

got Other Train Was Running.

Rochester, N. Y., June 24 .-- Five

ersons were killed and a number

more or less seriously injured last

"Harry Orchard was in the Coeur d'Alenes, Harry Orchard was a cheap soldier of fortune, a strongstring gam-Emmett Lyons, 14 years old, son of ames Lyons, engineer of freight Soldier of fortune, a strongstring gam-bler who had never done a day's work in his life. He owned a sixteenth share of the Hercules mine, but sold it be-cause of his needs and continued his gambling. The mine didn't yield until 1901. But Orchard, hoping on, stayed around to get a share of the mine. "We don't think that Orchard was at the Bunker Hill and Sullyan mill. We

train.
Miles S. Cutting, station agent at Railroad Mills.
B. H. Vrom, front brakeman.
J. B. McArthur, bridge foreman. Unidentified man.

life at Cripple Creek, He declared that Orchard burned a saloon and high graded at the very outset of his ca-reer. He went hito the story of the alleged attempt to wreck the train of the Florence & Cripple Creek railroad, which had falsely been laid to the Western Federation of Miners and de-clared the first time Hawwood Mover Western Federation of Miners and de-clared 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 Flor-ence & Cripple Creek raliroad. "An oily, slimy fellow." Mr. Darrow tormed the detective. "Cripple Creek had become the Wa-terioo of the Western Federation of Miners in Colorado." said Mr. Darrow. "The organization had fine halls, co-operative stores, libraries. It was

operative stores, libraries. It was nourishing and doing something until it took a chance in going out to help the striking smeltermen in Colorado Mr. Darrow said the attempt to wrec

a train was a plot of the railway com pany and the Mine Owners' associatio to wreck the union. He said the de-fense would show that Orchard was constantly in company with the detec-tives of the railroad and the mine own-

PRIVILEGES FOR ORCHARD.

some men charged with the wrecking

of the train. There he met Orchard who ingratiated himself with Moyer, who trusted him. Orchard gained Moy-

part in any further conspiracies,

INDEPENDENCE DEPOT OUT-

RAGE.

ing to Statistics Compiled. (Special to the "News.") New York, June 24 .- Figures com

piled at the request of E. H. Harriman show the great extent to which Pacific coast shippers are delaying the unloading of freight cars urgently needed to move the record-breaking freight traffic on the Southern Pacific. The records of the principal California and Oregon shipping centers show that since April 1 an average of 3.32 cars per day were held overtime for unload-ing on the Harriman lines in this ter-

JUNE SHOWS IMPROVEMENT. JUNE SHOWS IMPROVEMENT. From that date to May 1 conditions grew rapidly worse, but the June rec-ords show considerable improvement owing to the railroad's insistence that cars be released. Portland shippers on April 1 were holding 674 cars, which they had increased to 823 on May 1, and reduced to 216 by June 11. San Fran-isco, which had 1,860 cars tied up on April 1, was holding 2,358 May 1, and 1,640 June 12. Oakland's record was 494 for April 1, 429 for May 1, and 265 the middle of this month. Sacramento and Los Angeles shippers are holding 150 more cars now than on May 1. WHAT IT REALLY MEANS.

WHAT IT REALLY MEANS.

The average number of cars so with-held from service aggregate over 20 per cent of the total new equipment bought by the Union Pacific and South-ern Pacific for delivery up to July 1. This new equipment amounts to 8,000 cars for the latter system and 7,000 for the Union Pacific lines. The advantage shippers would derive from this large addition to the Harriman lines' equip-ment, involving an outlay of \$\$1,000,000, is materially offset by shippers' delays in unloading and releasing cars. The average number of cars so with-

UNFAIR TACTICS.

Owing to the freight congestion four months ago when the Southern Pacific was loading 40 cars a day into San Francisco in excess of the number of cars unloaded, warning was given that embargoes or increased demurrage charges would be necessary if cars were not released more promutive These not released more promptly. These warnings have been repeated more tately in other quarters, and the ut-most effort is being made by the con-pany to cours the co-operation for shippers in getting the freest use of its cars, and to make shippers realize that the use of freight cars as storage ware-houses is unfair both to the railroad and to other shippers.



They Each Gave up Some Portion of Young Trout. Here is the champion fish story for the vintage of 1907. The fish in quessheriff's office has deputies working dill-gently on the case. Owing to the fact that the thugs set on the Austrian from be-hind he is unable to aid the officers to any extent by furnishing descriptions of the men. As the pond into which he was thrown is rather deep it is a wonder he did not drown as he was diszed and unable to help himself. Jelvosek comes from a distinguished family, his father being a member of the legislative body of Austria that corresponds to the United States sen-ate. He came here from Butte, and was traveling through Africa before coming to America. He speaks very little English, but explained to the officers that it was the treatment he had received from the ings, rather than the loss of the \$400 they took from him, that hurt him. tion is not a large one, for it is only

a two year old trout of seven inches in length, and the hero of the battle to capture it is Mrs. Lester Merrill of 333 South Ninth East street. An affidavit of veracity accompanies

the story and attached to it are exhibits A. B. and C. respectively, being the skin of the fish, a portion of its cooked flesh, and its backbone entire. The capture was made yesterday morning at the family home. The water supply came from the city mains, and the scene of activity was at the kitchen sink tap, the bath tub faucet, and the outlet from the hot water boiler near the kitchen range.

WATER TASTED FISHY.

It was 10 o'clock yesterday morning when Mrs. Merrill's attention was called to a "fishy" taste in the water by her young son, Lester. She told him he was imagining things, and went about her work until she needed some water for cooking. Then she turned the tap and found the pressure shut completely off. As the plumb-ing was newly put in, she feared there had been a break somewhere, and turn-ed the water off at a stop cock con-trolling the house. Then she sent her little boy for the plumber while she went outside to try and get some water from the lawn bibb. None would flow from either, so going inside she turned on every tap in the house to prevent back suction in case the water had been turned off the mains. CAME THROUGH IN SECTIONS. him he was imagining things, and CAME THROUGH IN SECTIONS.

They all remained empty for some time and then the tap in the bath room began to drip. Presently a solid substance put in its appearance and a whole skin of a fish burst through backed up by a good pressure of water. A few minutes later the kitchen tap began to show signs, of activity and bubbling through that came a complete back bone. The bath room wash bowl was next to indulge in fishing and its contribution was a collection of site fins that had been scraped off the slifts while the fish was being broken up under the head of pressure. Then came some more from a less expected place. The hot water tap began to pour out bolled fish, cooked perfectly, for it had gone the rounds of the hot water boller and the water jacket in the range. After that bits of flesh continued to come from all the taps until the whole anatomy of the fish had been recovered. To make sure about it the taps were left running for an hour after the discovery was first make. FISHING AT HOME. W. H. Pitts, charged with a violation of the state pure food law, was dismissed. A new complaint will be drawn, cover-ing the case, and the Armour Packing company will be made a party defendant. Mr. Pitts is the local manager of the con-cern, and it was though by those respon-sible for the arrest that the company, and not an individual, should be called to ac-count in the premises. Mr. Pitts was accused of having sold to the Knutsford hotel a number of ducks that were found to be much tainted, and which were relating to the wholesale house. State Food Inspector John Peter-son swore to the complaint. made.

They all remained empty for some

FISHING AT HOME.

The trout must have found its way residence of W. B. Dinsmore, Jr., earia met its di

When Judge Armstrong An-The robbers who beat Dr. Jelvosek, an nounces Recess. Austrian, insensible and then threw him in a pond near Murray Friday night, have of been apprehended yet, although the heriff's office has deputies working dill-

Is Evident That Majority of Jurors Questioned Have Decidedly Fixed Opinions Regarding the Affair.

The examining of talesman to sit through the Donaldson trial was commenced this morning in Judge Armstrong's court. The defendant "Doctor Jim" Donaldson, himself was there attired as nattily as over and looking all spick and span. He was seated beside his attorney, S. R. King. Major M. A. Breeden was also present. District Attorney Fred C. Loofbourow conducted the questioning of talesmen for the state. The room was full of men of all ages, for the most part term jurors who may be called upon when jurors are excused from serving. A few of the ever present "curlous" were scattered throughout the rows of jurors. It was evident from the start that some difficulty is to be encountered in filling the box as out of eight men questioned this morning but two were left when court took a recess at noon. The jurors announced they hold fixed opinions regarding the guilt or innocence of the defendant from reading the newspapers and from talking with others. The two men who remained in the box were

two men who remained in the box were Carl A. Schied of the board of under-writers of this city and Walter S. Al-wood of Murray. When the noon recess was called four men of the six called on the second drawing remained and Charles Caffall, a printer was being questioned. Two jurors had been excused, making the total number of talesmen excused dur-ing the morning, eight in all,

SELECTING A JURY,

SELECTING A JURY, The examining of jurors to sit through the Donaldson trial began promptly at 16 o'clock. The toom was filled with men of all ages to draw upon should difficulty be encountered in filling the box. Elight men filed in-to the hox, and after some little prep-aration among attorneys for the state and defense, the examination began. The eight men who filed into the box as their names were called were George Margetts and Wm. H. Cameron of Salt Lake: Geo. W. Webster of Tay-lorsville, Walter S. Atwood of Murray, Geo. S. McAllister of Sait Lake, Ne-phi Vincent of South Jordan, and Carl A, Schled, and D. Foster of Sait Lake. EXAMINATION BEGINS,

EXAMINATION BEGINS.

Mr. Margetts was the first man ques-tioned. Attorney S. A. King brought out, with no trouble, that the first man had a fixed opinion, so fixed, indeed. that any evidence which might be introduced would not change it. This opinion was reached, Mr. Margetts ex-plained, after reading the Descret News and Herald. Mr. Margetts was excused after District Atty, Fred A. Loofbourow asked him several ques-tions which brought out more strong-ly the "fixed ness" of his opinion rely the garding Donaldson's guilt or inno-

the men who formed the organization thought it was an innocent undertak-ing. Mr. Hawley was their first at-formey and continued as their attorney for a long time. If there was any-thing criminal in their appropriating money for a lawyer the miners did not know it,

WHAT IT IS.

"The Western Federation of Miners is an industrial, not a murderous oris an industrial, not a murderous or-ganization. It has from time to time taken a hand in polities, but we are not going to hang every organi-zation which has done-such a thing. If we did, no corporation would be safe. The Western Federation of Miners did all it could to pass the eight-hour law in Colorado, Utah, and Montana. It tried to elect friendly United States senators. It tried to elect Mr. Haw-ley, but unfortunately failed."

ley, but unfortunately failed." Mr. Darrow went on to say that there was no claim that the Western Federa-tion of Miners was an organization of angels

"Angels do not work in the mines," declared the attorney; "they are the mine-owners.

mine-owners." Mr. Darrow went on at length to out-line the organization of the Western Federation of Miners. He declared it was nothing but a beneficial associa-tion, trying to uplift its class. It was not until 10 years after the organiza-tion of the union that either Haywood or Moyer took office in it.

NOT HERE TO APOLOGIZE.

"We are not here to apologize for anything the Western Federation of Miners has donc." declared Mr. Dar row. "It has been a fighting organiza-tion from the first and if it dies it will de a debting computation. It has here die a fighting organization. It has had a troublous career; it has been opposed by every device of the mine-owners, but it has prospered. Before the West-ern Federation of Miners came into existence the miners had to work from 12 to 14 hours a day. When they want-ed food they had to buy it at the com-pany stores. When they were injured they were taken to the company hos-pitals where there was little difficulty in getting a statement releasing the company from all damage.

WORK OF THE UNION.

"The conditions are vasity different today. The Butte union alone has paid out more than \$1,000,000 to the widows and orbhans of its members-this dur-ing the time this alleged criminal con-volucion order of the second sec

ing the time this alleged criminal con-spiracy existed." Mr, Darrow went at some length to show the trouble and opposition, the union has had since its inception. In some communities he declared the pres-ident of the organization when he went to visit the miners was refused both food and lodging by the mining com-panies.

panies. Arrests have come thick and fast. the attorney continued. "Some of the charges were purely imaginary and in 99 cases out of 100 the men have not that is a solution 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 McParland at its head. We will show you that this agency has been busy sleuthing, following, working and by ing to get these men. We will show hat they have hired detectives and placed them in positions of responsi-bility as secretaries and presidents of real unions; that these hired men con-stantly advised the miners to strike and that when a strike was on they counselled violence, dynamite and mur-der. They did it at Telluride; they did

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ferings of Orchard as related by that witness himself. Orchard remained in the Coeur d'Alenes, he said, trying to regain possession of his one-sixteenth interest in the Hercules mine until he was driven out by fear of arrest ane confinement in the "bull-pen." = "Then he wandered from place to General orders were issued that Harry

"We will read to you matter from the Miners' Magazine not introduced by the state. We will show that they did not advise violence, and that they counselled a wise administration and discussed the economic conditions temperately. Continuing Mr. Darrow said:

COEUR D'ALENE TROUBLE.

"This brings us to 1899 and the troubles in the Coeur d'Alenes when

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troubles in the Coeur d'Alenes when Steunenberg was governor. The West-ern Federation of Miners was get-ting 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 Sul-livan mines were blown up. The powder was furnished by a rival com-pany. At that time Harry Orchard, who is in this case, hat been there for a month carrying a union card. Jack Simpkins was in the Coeur d'Alenes.

HARRY ORCHARD.

"We don't think that Orchard was at the Bunker Hill and Sullivan mill. We will show that he did not participate in most of the crimes of which he has here boasted. I don't like to take any of the bloom off a peach like that, but while we will show that he is not the murderer he boasts himself, we will compensate him by proving him to be the most monumental liar that ever existed.

WILL CONTRADICT ORCHARD.

d'Alenes.

driven into his breast.

"Then he wandered from place to place, seldom working," said Mr. Dar-row. "He was a sort of gentlemanly miner who mined the miners. In 1902 he turned up in Cripple Creek. But from 1899 to 1902 this important personage in American history is all

But from 1899 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 backroom of some saloon gambling. "If Orchard today held his one-six-teenth interest in the Herculese mine he would be worth half a million dol-herce but I think he'd rather have who trusted him. Orchard gained Moy-er's confidence, but we will prove that Moyer never said the things to him that Orchard claims were sad. 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 con-fidence along to protect him from the thurs of the mine-owners. No sconer

lars; but I think he'd rather have what he's got because it is more valu-able to the newspapers."

HAYWOOD IN SILVER CITY.

have a long to protect him from the thugs of the mine-owners. No sconer, however, had Moyer arrived in Tellu-ride than he was arrested and thrown into the 'bull-pen' where he remained for many months, unable to take any Mr. Darrow said that when Orchard left the Coeur d'Alenes after the blowing up of the Bunker Hill and Sulli van mill, Haywood was but a plain van mill, Haywood was but a plan, ordinary working miner in Silver City. Idaho, where he lived a greater part of his working life in the snow-cap-ped mountains which can be seen from the Boise courtroom. It was not until 1901 that Haywood became secretary and treasurer of the Western Federa-tion of Miners

RAGE. Taking up text the blowing up of the Independence depot, Mr. Darrow said he did not know whether Orchard blew it up or not, but he was inclined to believe that he did not. The depot was a worthless building—a side track stop for working trains. "It wasn't worth a white chip," declared the at-torney. "But the mine owners wanted the military back in the district and about the time that this depot was blown up the word had gone out that something was coming off. I won't say that the mine owners or detectives wanted to kill anybody at this depot. Killing people was too mussy for them. This depot was worthless and unused. If the powder could be touchand treasurer of the Western Federa-tion 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 Petilbone, he was not even a miner at that time. He ran a little store down in Den-ver," continued Mr. Darrow, "selling clothes wringers, lace curtains, rugs. ver," continued Mr. Darrow, "selling clothes wringers, lace curtains, rugs, bibles and other novelties on the In-stalament plan. Pettibone had been a miner in 1892 in the Coeur d'Alenes. He was arrested there and put in Jall and my friend Mr. Hawley got him out. He then decided to quit min-ine". unused. If the powder could be touch-ed off just before the train arrived and before the men got there, it wouldn't kill anybody but it would be

HAYWOOD A UTAH MAN.

ing.

Mr. Darrow went on to describe the three defendants in the Steunenberg murder, in detail. He declared that Haywood was born in Utah-an Am-erican citizen whose forefathers came America prior to the Revolution "He is a plain, blunt, courageous man," declared Mr. Darrow, "fighting the militia when necessary, fighting for the rights of the workingman; fighting for the protection of the widows and

"And Moyer. What of Moyer? plain, blunt, honest man whose ancest ry were honest men. Moyer was the man who as the head of the Westeri man who as the head of tevery con-ceivable fight as men like him, born of such stock, will always fight. Moyer was a man whose sturdy honesty and quiet bravery won the confidence and held the respect of every one.

"The dogs were called off," said Mr. Darrow, "and Orchard came back to Denver and went where he willed with-out being arrested or molested in any WHAT ABOUT PETTIBONE?

way." Describing the conditions which fol-lowed the explosion of the Independence depot. Mr. Darrow said that the secre-tary of the Mine Owners' association made a speech from a wagon denounc-ing 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 the attarney, "and "And what about Pettibone? George Pettibone had never been a member before of the Western Federation of Miners. He had mined and then start-ed his store. A happy, careless, sunny man with a laugh and a joke for every-one. There wasn't a main, woman of the or the street who was not his man with a laugh and a joke for every-one. There wasn't a man, woman or child on the street who was not his friend-not a lame dog or cat but could find a home in his woodshed. That was George Pettibone. Petribone, the attorney said, was never connected intimately in any way with the Western Federation or its offl-oers.

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fired the shot," said the attarney, "and that it was the isgnal for a general shirmish. Many shots were fired and when the smoke cleared away two men lay dead. Two lawyers were ORCHARD IN CRIPPLE CREEK.

THE DOGS CALLED OFF.

Mr. Darrow then took up Orchard's (Continued on page two.)

General Manager Murray Decides General orders were issued that Harry Orchard should go and come when he wanted to," said Mr. Darrow. "We will show that Orchard came to Denver and formed a slight ac-quaintance with Haywood, Moyer and George Pettibone. Later Moyer went to Cripple Creek to attend the trial of some men charged with the wrecking Not to Treat With the District Council.

FEARS POWER TO CONTROL.

Regards Present Strike as Breach of Faith and Wants Assurances That He Will be Protected.

While the strike clouds have cleared away from the mill men's horizon in Salt Lake, they still refuse to leave the headquarters of the electric line-

The hope for a settlement held ou by Charles A. Elmore's visit to this city from the San Francisco head-quarters came to a dismal end today in complete failure. Mr. Elmore' met with General Monager Murray this morning, and received the company's answer to his attempt to open negotia-tions. It was a frank and fat footed denial of any possibility of making up an agreement with the district council of the union as a factor to it.

of the union as a factor to it. Louis Lynn, district chairman, called the strike for his district, without waiting for the general authorities of the union to approve or disapprove, and in violation of the contract with the Bell company, its officials allege. This contract called for a yearly agree-ment to be self-renewing unless ter-minated by one party or the other by 60 days' notice in writing.

No such termination was made, it is claimed, although the men declare that their request for a new agreement amounts to the same thing, and that it was presented in February, more than 50 days before the agreement was due

and before the men got there, it wouldn't kill anybody but it would be another attempt in the line of the Wetern Federation of Miners to get a rid of a lot of scabs. Following the explosion the town marshal sent for dogs to follow the trail from where a wire led to a chair rung. The dogs circled around awhile and went to the cottage of Al E. Moore. They were taken away and started out again and once more they came to Al B. Moore's house. Then other dogs were sent for and they took the trail down toward Colorado Springs. The man in charge called up K. C. Sterling, chief detective of the Mine Owners' asso-ciation, and told him the dogs were on a sure scent. But Sterling told bim to call off the dogs that he knew who did it, to run out. It was to try and patch up affairs among the locals so that they would recognize the district council and agree to stay by its dictates, that Mr. El-more went north two weeks ago. Since his roturn he has been seeking a hearing from the telephone company and this from the telephone company, and this morning he was notified by General Manager Murray that "events show that the district council is nat able to centrel the local unions, and has by no means their unanimous consent to represent them. Under these conditions the company does not care to consider an agreement to which the district

nell is a party

council is a party. The cigar makers' strike remains quietly in a state of peaceful sleep with the industry field up completely beyond all hope of its being recalled except by a struggle to build up over again the trade presize lost through the shut down. down.



Mrs. Amudsen Cannot Sleep Owing to Noise of W. P. Engines.

Martha Amudien has brought an action against the Western Pacific to recover E.800 as damages. Mrs. Amudaen says abs is unable to sleep owing to the excessive poise made by engines and trans passing her home and since the track has run within 20 feet of her yard her property has depreciated in value.

into the mains alive, and met its death in the service pipe shortly before clog-ging up the intake to the Merrill resi-dence, as it showed no signs of de-composition. In telling the story and backing it up with the exhibits. Mr. Merrill declares that he believes the fishing party of his wife in the kitchen water taps was more successful than that of any of the Waltonian desciples who vesterday whipped their way up who yesterday whipped their way up and down Parley's creek, or Mill creek

or Big Cottonwood.

WILL ERECT NEW CHURCH.

Laying of Corner Stone Conducted by African Methodists.

The corner stone of the new African Methodist church on Sixth South street between Second and Third East streets, was laid yesterday afternoon with the address from Rev. P. A Simpkin of the Phillips Congregational church. In his talk, Mr. Simpkin suid

said: "One-half a century ago the colored race were held no better than straw for cattle, but now because of the sacrifice of the blood of a nation, it stands with its face toward the morping io receive the things that have uplifted manior slave, no civilized man or barbarian, male or female. Christ is all in all and God is alike to all of them." them congratulate Sait Lake City or

"I congratulate Sait Lake City on this building. It is a good thing for the country just as it is a good thing for Salt Lake City. The new church, which will cost \$6,000, is two stories high, and built of red pressed brick. The auditorium will occupy the uppre story, and the Sunday school and other rooms the ground floor. Much credit is given to the pastor, Rev. I. C. Bell, for his un-tiring efforts in raising funds to erect efforts in raising funds to crect the structure.

BINGLEY'S CAPTURE.

Three Jap Fishermen Minus Licenses Forfeit Their Bail.

Three Japanese, K. Yapabana, S. Kale and M. Mitsuana, not only broke the Sab bath yesterday, but they broke a state law as well. They went fishing in Beck' w as well. They went maning in Necas' of Springs lake, and "Bill" Bingley te Japs caught fish, and Bingley caught te fashermen. The latter put up 40 ch for appearance before Justice Dana Smith, but when the cases were called is morning, the little brown men falled answer, and the ball was declared for ited.

Secretary and Party Given Reception

Chevenne, Wgo., June 24.-Secy Garfield of the interior department chief Forester Pinchot, Commissioner Ballinger of the general land office and Chief Hydrographer Newell ar-rived here last night and spent the day in conference with land office of ficials and citizens. The government officials were given a luncheon at the Chevenne club which was attended by about 200 citizens. The land nolicies of the administration were referred to and the visitors learned that reso-lutions passed at Denver meeting last week protesting against the proposed

ning and stole silver plates valued at \$6,000 and two violins valued at \$5,000. The silver taken

ROBBERY AT TUXEDO PARK.

Thieves Steal Thousands of Dollars'

Worth of Silver Plate.

s much agitated over a daring robbery

which has occurred within its exclu-

sive confines. Burglars entered the

New York, June 24 .- Tuxedo Park

FOR SELLING IMPURE FOOD.

B. D. Blackmarr Will be Tried for Al-

leged Violation of Ordinance.

B. D. Blackmarr will have a hearing

Smith, at 2 o'clock tomorrow, on a charge

Smith, at 2 o'clock tomorrow, on a charge of having violated the city ordinances re-lating to impure foods. Inspector Frazler swore to a complaint, alleging that Mr. Blackmarr seld to a woman, the latter's name not being mentioned, kidneys that were totally undit for use. Mr. Riackmarr appeared before Judge Smith this morn-ing, having been notified that his presence was desired, and the hearing was set for the day and hour mentioned.

ARMOUR BROUGHT IN

Will be Made Party Defendant in

Tainted Ducks Case

In Justice of the Peace Dana T. Smith's

ourt this morning, the complaint against

V. H. Pitts, charged with a violation of

Justice of the Peace Dana T.

Intervention at \$5,000. The short taken weighed about 350 pounds. Investigation shows that the thieves carried their loot through the woods to the lake and ferried it across in one of Mr. Dinsmore's boats. From

one of Mr. Dinsmore's boats. From there it is supposed the burglars took a wagon and went to Middletown. Mr. Dinsmore entertained a large party of guests at dinner Saturday night and as it was late when the festivities concluded the family plate was not restored to the strong boxes immediately. In some way the this ves became possessed of this information and their raid followed. Many of the residents spent Sunday chasing around the country in their automobiles on a the country in their automobiles on a burglar bunt, but their efforts were

ACCUSES RUSSIA OF MURDER.

New York. June 24 .- The Wahrheit (The Truth), a Yiddish newspaper and the organ of the Russian revolutionists in this city, makes the sensational accusation which it backs up with fac-simile copies of what pur-ports to be official letters, that the Russian government as represented by certain of its ministers, brought about the murder of Yaukel Tsherby certain of its ministers, brought about the nurder of Yaukel Tsher-nfak, a revolutionary leader, on a steamer last winter and sacrificed the lives of three other passengers who occupied the same cabin. The paper declares that the murderer was An-drey Victoror, an agent of the Rus-sian government. He was puid 3,000 rubles and received the title of "citi-zen of honor" for his work, the paper says. Louis E. Miller, editor of the Wahrheit announces that he is ready to show the originals of the letters of the officials which he publishes, but will not disclose how he obtained them. Tshernisk's body was found in his cabin when the steamer reached Ant-werp. Three other persons who shared his cabin were also dead, but a fifth occupant had disappeared. The in-quest develowed that the men had been asphysized. The revolutionists say this was accomplished with poisonous gas which an assassin curried with him.

ANTI-AMERICAN AGITATION IN JAPAN CONTINUES.

Tokio, June 24 .- Public excitement about the American question has almost passed away, but the agitation is still going on. It is mostly the work of politicians of the opposition, who are

employing the question as a weapon of

comploying the question as a weapon of attack upon the ministry. The Progregatives and a coterie of pol-ficians called the "Daldo club" will likely join hands in a combined attack on the ministry over the American question, their principal atm being to thereby strengthen their respective positions in the coming election of local assemblies, and also in the general elec-tion of next year. Their principal watchword is the diplomatic impotency of the Salonji cabinet, which has re-sulted, they say, in suffering to com-paritots in America and in insbilly to receive treatment worthy the subjects of a first-class power. It is difficult to foretall how far they ean succeed in stirring up the public.

can succeed in stirring up the public, but whatever attempts are made in the way of agitation, actual hostilities with the United States are not even dreamed of

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The war talk in some of the American press is totally ignored here.

the first state of the

CAMERON ALSO EXCUSED.

William H. Cameron, an employee of the Freed Furniture company, was the second talesman examined. He, also, said he holds a fixed opinion regarding the defendant's guilt or innocence (the talesmen were not required to state which belief they held). Mr. Cameron said he believed he would not and could not make an impartial juror. He was challenged by Judge King for the de-fense and was excused. He was

FIGHT OVER WEBSTER.

George W. Webster of Taylorsville was the third man examined. He said he read of the McWhirter robbery and subsequent events in the Deseret News and had a fixed oplnion. He said it was so strong that he did not believe sitting through the trial would alter it. The district attorney took the juror in hand and brought out statements from him which indicated that he mighth ohange his colinion. Mr. Loofbourow resisted which indicated that he mighth change his opinion. Mr. Loofbourow resisted Judge King's challenge and was sus-tained. The attorney for the defense noted an exception and opened another line of questioning which proved Web-ster has his mind made up firmly de-spite his wavering statements. Judge King renewed his challenge and this time it was not resisted by Mr. Loof-hourow. Webster was then excused,

ATWOOD IS ACCEPTED.

Walter S. Atwood was the fourth man questioned. He thought be could reach an opinion after listening to the facts as brought out during the trial. Some time was consumed by Atty. King in going over the little points and at the conclusion of this question-ing. Atwood stepped aside in favor with both state and defense.

PASSED FOR CAUSE.

George S. McAllister, manager of Z. C. M. I. shoe factory was the fifth man. His mind was fixed from read-ing the various papers and journals published in this city. Mr. McAllia-ter said he believed he could ignore this opinion however. "Id go by the middene in court" he polymetered Ha this opinion however; "Id go by the evidence in court," he volunteered. He was passed for cause.

VINCENT EXCUSED.

Nephi Vincent, a furmer of South Jordan, followed. Through reading the "News" and Tribune, he formed an opinion, he explained, which would need strong evidence to remove. He added that he would not care to be tried by jurors in his state of mint. He was excussed.

SCHIED GETS TEROUGH

Carl A. Schied, with the board of fire underwriters of this city, was the seventh talesman. He answered Aity. King's questions in a manner satis-factory to state and defense.

THREE MEN IN THE BOX.

William D. Foster was the eighth man. He said he read of the McWhir-ter case in all Salt Lake papers and also in the Denver papers. In so do-ing, he formed a very fixed opiniou-one very hard to change. The tales-man was challenged and excused. This left three men in the box, Carl Schied, George S. McAlfister and Walter S. Atwood of Murray. An hour and a

AND A REAL PROPERTY AND A REAL

to ans feited. GARFIELD AT CHEVENNE.

At Wyoming's Capital

(Special to the "News.")