

CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS. DESERET EVENING NEWS.

TRUTH AND LIBERTY. MONDAY MAY 6 1907 SALT LAKE CITY UTAH

12 PAGES -LAST EDITION



Men Believed to be Onyx Bank Holdups Arrive in Salt Lake.

BURBIDGE'S GOOD WORK.

He and Sheriff D. T. Quigley Hustle the Crooks Over The State Line.

Men Give Names Which They Forget shortly Afterwards-Third Member of Gang Still at Large.

Capt, John B. Burbidge and Sheriff Quigley of Pocatello, arrived here at 10 o'clock this morning from Pocatello with two prisoners, John McTernay and Frank Williams.

Officers and prisoners were met at the O. S. L. depot with the patrol wagon and Officer O. C. Brown and a "News" reporter.

Sheriff Quigley and Capt. Burbidge left Pocatello at 3 o'clock this morning and when the state line was reached, Capt. Burbidge took charge of the prisoners.

At McCammon Sheriff Quigley conveniently missed his train back to Pocatello and "concluded" to come on with Capt, Burbidge.

The prisoners objected to being brought out of Idaho and declared they would not come without requisition papers. They came just the same. Both prisoners were identified by Bartender Tom Needham of the Onyx Bank.

The prisoner Williams declared he had never been in Salt Lake before but his collars showed the Troy laundry mark and in his possession was a new black tie bearing the mark of a Salt Lake firm.

When going into jail Capt. Bur-bidge called the name "Williams" sevcral times. When the prisoner suddealy turned around. Capt. Burbidge remaraked: "You haven't forgotten your name already, bave you?" to which the man did not respond, but turned red in the face and hung his head.

The statement that the third man had been captured near McCammon is not true. The fellow, described as the man with piercing black eyes, escaped but left his effects at the hotel in McCammon

Pawnbroker Markel saw the prisoners this morning but would not say positively they were the men who purchased black caps from him two days prior to the robbery and holdup.

Chief Sheets is of the opinion that the right men are in jail. He said that he has seen the "big fellow" on the streets here, and that the small

point Captain Burbidge assumed charge of the prisoners but Sheriff Quigley con-veniently missed his train back to Poca-A feeling response was made by Prof. tello and decided to come on with the

tello and decided to come on with the capialit. When officers and prisones reached McCammon, McVernay or McTernay, and Williams vehemently protested against being brought back to Salt Lake and declared they would not come with-out regulation papers. Williams swore that he had never been in Salt Lake but admitted that he met McTernay at Og-den and that they had known each other in Butte. When confronted with the fact that his tie and collars bore Salt Lake marks, Williams had nothing to say. In fact both men refused obso-lutely to talk. HOW ARRESTS WERE MADE.

HOW ARRESTS WERE MADE.

BURBIDGE DENIES IT.

IAN MACLAREN DEAD.

nie Briar Bush" Dies in Iowa.

AMERICAN DREADNOUGHTS

Which Ones is Uncertain.

NATIONAL SCHEUTZENBUND. Charleston, S. C., May 6.—The fifth-triennial festival of the national scheutzenbund of America will be opened in Charleston today by Presi-dent Roosevelt, who, at the White House at Washington, will press the telegraph key that will fire the fifte placed in electric communication here. Several thousand riflemen from all over the United States are here, and prizes to the value of \$35,000 will be contested for. HOW ARRESTS WERE MADE. The "story" published this morning to the effect that the third man had been captured and that money and dla-monds had been found on him, is pro-nounced by Chief Sheets, Capt. Bur-bidge and Sheriff Quigley as "nothing but hot air." The facts are as given by the "News." McTernay, or McVer-nay, and Williams were arrested and landed in jail at Pocatello. The momey they had on them corresponded with the amount stolen, assuming that the three robbers divided the money equal-ly. The two men were arrested at Mc-Cammon by Deputy Sheriff Fred Ter-reil. When taken to Pocatello they were turned over to Chief Deputy Mc-Garvey, who saw the tie pin on Wil-liam's ite. Later the pin on smissing. When the officers went to the hotel con-ducted by H. O. Harkness at McCam-mon, they found that their bird had flown. The missing man is the one with the dark, plercing eyes. In his haste be left his value containing the clothfor

DESCENDANTS OF SIGNERS OF DECLARATION.

New York, May 6.-A union of the des-cendants of the signers of Declaration of Independence will be held at the James-lown exposition on July 4. The suggestion first made by the Thomas Jefferson Mem-orial association, has been taken up by the exposition officials and preparations are underway. The Thomas Jefferson Memorial associa-tion, whose headquarters is in Washing-ton, whose headquarters is in Washing-ton, wants every cilizen who traces his lineage to Jefferson or any other signer of the historic document to send his name of the historic document to send his name of the historic document to send a spe-cial invitation to each one. The association has received many let-ters from prominent men endorsing the project. Grover Cleveland wrote: " unreservedly approve the moniset the dark, piercing eyes. In his haste he left his value containing the cloth-ing described by the victims of the rob-bery, a hat and big Smith & Wesson.

NATIONAL SCHEUTZENBUND.

bery, a hat and big Smith & Wesson. Russian modei, 45 caliber revolver. The gun was brought back by Burbidge and Quigiey. The hotel propriator did not take kindly to the officers taking the missing man's effects, but Sheriff Quigley offered his personal check to cover any damages that might be filed against Harkness. A search for the third man is still going on. ters from prominent men endor project, Grover Cleveland wrote: "I unreservedly approve the project. "Such a reunion should certainly have t tendency to stimulate patriotic senti-

ment." Part of the program for the reunion will be the reading of the Loclaration of Inde-pendence by a descendant of Thomas Jef-ferson. There will be addresses by several prominent men and music by a chorus of

INFLUX OF ALIENS.

Capt. Burbidge said to the "News" this morning that the report that he was "scouring" the hills on his noble steed "Sapolio," was a mistake. He did not scour the hills or anything else. While this conversation was going on the reporter was examined the big gun New York, May 6 .- Three transatlantic liners which have docked within the last 24 hours, have added 3,100 imdid not scour the hills or anything eise. While this conversation was going on the reporter was examining the big gun taken from "black eyes" room. Sheriff Quigley, who was as hungry as a bear, remarked: "If that 'News' reporter don't let the captain take me out to breakfast I'll show him my gun." With that the elongated sheriff from Idaho threw back his coat and disclosed a weapon which extended from his armpit to half way between knee and hip. At noon today Pawnbroker Markel saw the two purchased the black caps. He said the men came in quick-ly and soon departed and that he would not be able to identify them positively. Chief Sheets stated this morning that he had seen McVernay or McTernay, on the streets here se eral times, and the interval. migrants to the great influx of allens who have arrived here during the last few days. Ellis Island, the clearing few days. Ellis Island, the clearing house for immigrants, is still thronged with immigrants despite the efforts of authorities to relieve the conges-

EDITOR STEAD.

His Latest Plan is a World-wide Peace Pilgrimage.

New York, May 6.-William T. Stead, he English editor and reformer, told yes-arday at the West Side Y. M. C. A. meet-by of his latest plan for the spreading of the cause of peace and arbitration in n address which was announced as his ust public appearance on his present vis to America.

The product appearance on his present vis-it to America. He now plans a worldwide peace pll-grimage, to establish peace circles, or nu-clei in all the important cities of the world. As a preliminary detail, he wishes to have \$1,000,000 raised. He says this will be perfectly easy to raise if proper ap-peal is made, purticularly to the young tolks of this country. The proclamation follows the rejection of Mr. Stead's proposition for a pligrim-age through various countries of Europe, winding up at The Hague where the next conference is to assemble on June 15. Celebrated Author of "Beside the Bon-Mount Pleasant, Ia., May 6 .- Dr. John Watson (Ian MacLaren) died here to-day of blood poisoning, following ton-silitis, He was taken ill here April 25.

COUNT WALDERSTEIN WELL.

Portland, Or., April 6.--A special to the Oregonian from Klamath Falls, Or., states that Count Otto Von Walder-stein, who was reported to have been killed at Willows, Cal., a few days ago, is alive and well at Klamath Falls, Or., where he is employed on government reclamation work. Will be Named for Some States But Washington, May 6. – President Roosevelt has under consideration the naming of two battleships of the Dreadnought type, for which contracts will soon be awarded. The ships will be given the names of states, according to custom. Most of the states have



Brought into Court to Attend on Hearing on Motion for Bill Of Particulars.

PRISONER WAS NOT MANACLED

Richardson Opened for Defense. Contending Was Entitled to Information.

Senator Borah Follows, Saying Defense Did Not Seek Particularization But Possession of Evidence.

Boise, Idaho, May 6 - The argument on the motion of the defense for a bill of particulars in the case of William D Haywood, charged with the murder of former Gov, Steunenberg, was commenced before Judge Fremont Wood at 10:15 this morning, By direction of the court Haywood was brought up from the county jall below, to attend the hearing on the motion.

Sheriff Shad Hodgin and two deputies brought the noted prisoner into the room and gave a seat at the table of

his counsel. He was not handcuffed. Senator Borah represented the state and Messrs, Richardson and Darrow the prisoner. Mr. Richardson opened the argument for the motion in the prisoner's behalf. Mr. Richardson opened his argument by reading the indictment of Haywood, Moyer. Pettibone, Orchard and Simpkins charged with the muctor

Haywood, Moyer, Pettibone, Orchard and Simpkins charged with the mutar of Gov, Steunenberg, Immediately before the opening of court for the heating of the motion for a bill of particulars, Clarence Darrow, of counsel for the defense said to the correspondent of the Associated Press; "Under the laws and Constitution, Moyer, Haywood and Pettibone are to be tried in court by a jury of their peers. The forum is the state court of Idaho. Under these facts I do not see what there is for the president to do. All be have a right, or desire, to ask either of him or any other clitzen is to leave the courts and juries to adminis-ter the law fairly and without preju-dice and without influence from the outside." outside

WHAT BILL RULES.

The motion for the bill of particulars recites the absence of the defendant from Idaho at the time the crime was committed, and that the indictment contains no information that would show the overtacts by which the state hopes to prove the guilt of the accused. When counsel had finished reading the motion Judge Wood interrupted to say:

You know, Mr. Richardson, that our

"You know, Mr. Richardson, that our state has no statute providing for a bill of particulars in such cases." "I know that such is the case," re-plied Mr. Richardson, "and I also know that the supreme court of Idaho has had its attention directed to the subject but once. Such a motion, however, as you? honor well knows, always directs itself to the sound discretion of the court." MR. RICHARDSON'S ARGUMENT

MR. RICHARDSON'S ARGUMENT. Mr. Richardson again drew attention to the absence of Hoywood from the state at the time of the murder and ergued that he was entitled to the inprovided that the defendants in a case of this character were entitled to the details of the evidence against them. DARROW CLOSES.

DARROW CLOSES. Clarence Darrow followed Senator Borah with the closing argument in support of the motion. He said that about all there was to the provision was that if the court thought it was rair to have the bill of particulars it could grant it. It was all within the discretion of the court and if the court declined the motion the supreme court of the state could not reverse its ruling. The fact that there was no statute on the subject in Idaho, did not affect the matter of the power of fairness and justice to the defendant. "Mr. Borah suys we do not want a better pleading but that we are after the evidence." said Mr. Darrow. "We are. Why not? Why are we not en-titled to know what the evidence will show so that we may prepare to meet 1997 show so that we may prepare to meet

Mr. Darrow pointed out that there had been no disclosure of evidence at a preliminary hearing and that the slate had carefully concealed its case. He said that the prosecutors were not trappers seeking victims, this was a civilized community and the prisoners were entitled to fair treatment. He declared that the Orchard contession should be placed before the counsel. He impassionately declared that it was unjust to bring these prisoners 1,000 miles from home and not give them a tair chance to openly meet the case. The case of the state was a mystery that unfairly hindicapped the accused. He asked that the particulars be given and said the defendants were entitled to adjournment if necessary in order that their rights might be protected. At the conclusion of Mr. Darrow's argument he stated that the subpoenas for the state had been issued in blank and it has been impossible for the defense to secure the names of wit-messes. Mr. Darrow pointed out that there nesses, Mr. Darrow said that counsel for the

defense had only the newspapers for a source of information. It was as much the duy of counsel for the prosecution to protect the prisoners as the court and counsel for the defense.

the Wood-Does the court under-the the defense is not ready to red to trial?

Mr. Darrow-No, we are not ready to o to trial. We are working in the

Mr. Richardson-We are as ready as ve will ever be under the circum-tances. In general legal sense we are

Borah-Why do you expect a sur-Mr. Darrow-From the reports in the

Mr. Darrow-From the reports in the newspapers and common runnor. Mr. Borah--What am I to understand that you desire in a bill of particulars? Mr. Richardson declared that Mr. Borah made no distinction between the overt acts concerning which the pris-oner sought information, and evidence dealing with these overt acts. He said he had interrupted his associate be-cause he thought he was not answer-ing the question. The court asked for information as to the dates of the original pleu, ap-peal and other steps in the case as showing the time that the defense might have made the motion for the bill

showing the time that the defense might have made the motion for the bill of particulars. Mr. Richardson and Darrow drew attention to the change of venue and postponement, and said this was really the first opportunity that had presented itself. To this Senator Borah replied that it was true the subpoenas had been is-sued in blank because had the prosecu-tion revealed the names of their wit-nesses they would not have been able to get them to the courthouse. Senator Borah said that within the last 24 hours two of their most important witnesses two of their most important witnesses from Colorado had disappeared, one enirely and another refusing to come to Idaho to testify.

Idaho to testify. Both sides concluded their argument at 12:30 and Judge Wood announced the adjournment of court until 3 o'clock, when it is expected he will hand down



UNUMPER OFFICE,

Rirects covered by the system, and that no attempt will be mide to operate the minor lines. In an effort to bring about a peaceful sottlement of the strike, a committee of the civic league called upon President Calhoun last night and urged him to submit the differences between the com-pany and the Union to arbitration. The reply received was that the cars would soon be running again and the commit-tee was urged to see that no opposition was offered to their peaceful operation. Notices have been posted in all the car barns of the company that all em-ployes will be expected to report for dury on Thesday or consider themselves discharged. The situation so far has been very peaceful and there are no indications of impending rouble. At the same time every preparation is being made by the state and civic authorities to prevent any breach of the peace. After an exciting meeting lasting four hours the Electrical Workers' union linemen, No. 181, yesterday failed to reach an agreement on a proposition to strike in sympathy with the telephone girls. A compromise was effected whereby definite action was postponed until the executive committee shall have conferred with the officials of the peace in and the dist of the peace girls in the care on a periorities of the peace and the action was postponed until the executive committee shall have conferred with the officials of the peace of the action was postponed until the informed that unless the union have conferred with the officials of the telephone company, when the company will be informed that unless the union of the girls is recognized linemen and electricians will walk out. The com-pany is succeeding in giving a little bet-ter service than it was able to do during the first days of the strike, and the claim is made that it will be able to hold its position until the striking op-erators return to their posts. So far the latter show no signs of giving in and their demands are firmly maintained. With the assistance of the linemen should they finally decide to do so, they hope to make the strike more effective. The iron workers' strike shows no

more effective. The iron workers' strike shows no charge. The men still hold out for their demand. No violence is reported. Many of the leading saloonmen are in favor of closing all saloons during the continuance of the strike and may ask the maximum to do so.

mayor to do so, is next to impossible to get a It is next to impossible to get a physician in case of emergency. The non-workers' strike has greatly hampered the building industry and delays the construction of the city. The bailleships now in course of con-struction at the Union Iron Works may be furned over to the government for completion at the Mase Island navy yard unless the mechanics who have been engaged on them return to work. The situation is regarded as serious y all interested in San Francisco and

Its progress.

GOVERNOR VERY GUARDED.

Los Angeles, May 6.-Gov. J. N. Milett, who has been for Los Angeles ince last Saturday, was asked today what official action he would take with efference to the San Francisco strike

what official action he would take with reference to the San Francisco strike situation in the event of disturbances taking place there. The governor an-swered very guardedly on the question but at the same time left no doubt that in the event it was necessary he yould take the aternest measures to preserve law and order in San Fran-tisco. The governor said " Tan watching the situation in San Francisco very closely. In the event that there should be serious trouble between the men and their employers and the situation were to become such that the local civil authorities were unable to cope with it, 1 should not bestate a moment to take the neces-sury steps, by the power invested bit preserved and the suffety of life and property insured. I would first have to be estisfied, however, that the author-tics were powerless. I do not know that I should wait for them to report to me that they could not control af-fairs there but I would have to be thoroughly satisfied from my own in-vestigations that such was the case before I would take any radical action. But I am very hopeful that there will be no violence, in fact in the conduct of all parties to the controversy so far I see no reason for apprehension on this subject.

hand this morning ready to go alread with the trial. The Donaldson attorwith the trial. The Donaldson attor-neys were ready, however, with 11 typewritten pages of affidavits setting forth reasons why the trial ought not to go on, in which it was recited that the O'Briens, so issaily wanted by Donaldson as witnesses, are out of the state, and are not expected back, and that due tillgence in searching for them has failed to locate thigh. The hope is set forth that they will be available later in the year, when the trial may be allowed to praceed.

KING'S AFFIDAVIT.

The petition for a continuance was filed by Samuel A. King, Donaldson's attorney, and asked that the case go over until the September term of the

The affidavits filed with the peti-tion are two in number, one signed by Donaldson, and the other by Atty. King. The first sets forth the efforts made to locate the missing witnesses, and the second the fact that the con-tinuance is not asked for the purpose of securing delay, but to enable Atty. King to 20 to Nevada on important buiness, and to wait the arrival of the missing witnesses. One item not set forth in the petition and affidavits that may have influenced Judge Armistiong in granting the con-

ARMSTRONG GETTING TIRED. Judge Concludes That Chronic Continuances Are Becoming Decidedly Monotonous.

Go through your pockets and you can probably raise enough money in small change to "capitalize" that want-ad, campaign.

FIFTY-SIXTH YEAR

CASE GOES OVER

Trial of the Notorious Card Sharp

Was Today Postponed Un-

til June 24.

'DOCTOR JIM'S"

Bunco Man, Through His Attorney, Satirizes Sheriff's Office and Tries to be Funny.

Because "Jim" Donaldson, the card player, wants Larry O'Brien and Jack O'Brien to testify as witnesses for him in his approaching trial for conspiracy in defrauding the McWhirter brothers out of their money in the famous Antler rooming house robbery, his trial

was today continued until June 24. District Attorney Loofbourow opposed the motion to postpone, urging that the defense had shown no reasonable grounds for concluding that it would be easier to produce the witnesses at the fall term of the court than now. His fight was partially successful, as the best that the de-

fense could do was to gain a postponement until June 24, when they sought to have it go over until the September term.

At the same time the hearing of Attorney Newton, before Justice Bishop, on the same charge as that for which Chlef Sheets was given a hearing, was postponed until next Thursday morning, so that there was no progress made today in reaching a final settlement of the cases of those men who

mixed in the McWhirter affair. MONOTONOUS CONTINUANCES

When the Donaldson case was called this morning before Judge Armstrong, a continuance was asked at once. The judge had previously declared that he was tired of granting continual continuances, and that a large number of jurors would be on

man's face looked familiar.

Captain John B. Burbidge of the Salt Lake police department, and Sheriff D. T. Quigley of Pocatello, returned this morning with the two men arrested at McCammon as suspects in the big robbery and hold up at McTernay's Onyx Eank saloon. The officers and prison-ers arrived here at 10 o'clock, and im-mediately went to police headquarters where the prisoners were searched and locked in private cells. That the two men were principals to

daring robbery there is no doubt the minds of the officers and of m Negdham, the bartender who was eved of \$25. But the question of of, of convicting proof, is one that causing the authorities considerable relieved of \$25.

When the prisoners were booked at When the prisoners were booked at police headquarters they refused to make any statement whatever. One of them is over six feet tall. He has hazel eyes, light hair and moustache, and is a hard looking customer. He gave the name, on the train, as John McVernay, but in the desk sergeant's room he evidently forgot himself and, when asked his name, said he was John McTernay. He gave his age as 39

when asked his name, said he was John McTernay. He gave his age as 39 years, and said he was a railroad free-man, but a card taken from him by Capt. Burbidge shows that the man had belonged to the Railroad Engi-neers' union at, Butte, No. 83. The other man gave the name of Frank Williams, and his occupation as a railroad employe, but in what capa-city he did not state. He is 30 years of age and is not more than 5 feet 6 inches in height. inches in height.

CLAIMS ARE DISPROVED.

On the trip from Pocatello to Salt Lake, Williams declared that he had never been in this city in his life, but on his collar was found the Troy laundry mark, and he had a tie which had recently been purchased from a lo-cal merchant. When lodged in jail at Pocatello he had a pin in his tie, but the pin has mysteriously disappeared, and Williams refuses to tell what he old with it. with it.

After giving their names to the desk ergeant, the prisoners were taken to all by Captain Burbldge and Officer aylor. On the way to the cefls Capitain surbldge called out: "Oh, Williams," Williams, Williams!" but "Williams" "You have, withams, out "Withams" folied to answer. Again the captain called out the name and then "Wil-haws" turned around. "You haven't forgoiten your name already, have you?" asked Captain Bur-bidge, Williams said nothing but he-came nervous and flushed.

be siven the names of states, according to custom. Most of the states have been honored already, but there re-mains, Delaware, Utah, North Dakota and New York that have no war ves-sels named for them. New York is eliminated for the reason that there is an armored cruiser named for the city of New York When Oklahome onalian armored cruiser named for the city of New York. When Oklahoma quali-fies as a state, it will give the navy department one additional name to draw upon. While no action was taken today, it is thought likely that Dela-ware, the second smallest state in the Union, will be honored by having one of the greatest battleships named for

Union, will be honored by having one of the greatest battleships named for it, and that Utah will be the other state to be so honored. An effort has been made to induce the president to authorize the re-naming of the cruiser New York and to call one of the new battleships after that state, but it is not probable that the movement will succeed. Eventually the war vessels smaller than battleships of the first class must be re-named if the present plan is carried out.

plan is carried out,

A DELIGHTFUL TRIBUTE RENDERED PROF. CARELESS.

One of the most enjoyable and alto-gether whole-souled events that has oc-curred in the history of the Eighteenth ward, took place in the chapel last eve-ning; the occasion was the musical re-cital and reception to Prof. Georgo Careless, a former member of the ward, and a composer, leader and teacher, whose name is a household word in musical circles throughout the whole Church. The building was crowded in every part, and a request that all the professor's old pupils should arise, was responded to by a considerable section of the audience standing up. All the music of the evening was from Peof. Careless' own compositions. The numbers were beautifully rendered by the ward choir of 50 voices, and the selections included the famous hymn, "Rest for the Weary Soul," composed for the funeral of President Joseph Young first rendered July 16, 1851, The composer of the words, Henry W. Nais-bitt, was present on the stand with Prof. Careless. Other numbers were the hymn, "Bereavement," the words of which were written by Eliza R. Snow, beginning "Thou dost not weep to weep alone." This was first rendered at the funeral of President Brigham

to weep alone." This was first rendered at the funeral of President Brigham Young, Sept. 2, 1877. The ballad, "Dear Little Birdle," words by George J. Tay-lor, was sung by Bessie Edmunds New-man, with Prof. Careless rendering the obligato accompaniment, and Arthur Shepherd playing the organ. Prof. Careless also played the air of his hymn, "Parling," another hymn ren-dered at the funeral of President Brig-ham Young. The words, written by Charles W. Penrone, were read by Miss

and the second second

DIES IN HOSPITAL

Boy Who Met Fatal Accident at Garfield Succumbs to Injuries.



Pathetic, Case of Youth Who Was Her Sole Support and Comfort in

Old Age.

Frank Jones, the 17-year-old son of Idaho pre William Jones, died at St. Marks hos- the time of pital at 4:15 this morning, as the re-sult of a fall from a motor car at Garfield at 3:30 Sunday morning. The boy had just gone to work for the smelt-ing company on Thursday, and Satur-day night at 12 oclock was changed to the night shift and started to operate the motor car on the high line. He got along all right until about 3 o'clock, got along all right until about 3 o'clock, when something happened to the trol-

when something happened to the trol-key and the car would not work. The young man got out on top of the car to try to adjust the trolley, and it is pre-sumed, in his efforts to make the re-pairs, he got hold of the live wire and received the entire quantity of electricity carried by it. He fell 50 feet to the bottom of the treste-alighting on the hard rocks and earth below. The accident was discovered by Er-nest Stewart, who brought young Jones to Salt Lake, arriving in this eity at the supreme courf of the United States pendres. Mr. Bichardson contended that the indictment only showed that Gov. Steumenberg had been killed by a bomb, that Haywood was charged with econspiring to have Steumenberg mur-dered, and that Haywood was charged with being present and actually com-mitting the orbite, an assertion that everyone knew to be untrue. "Mr. Haywood, sold the attorney, "knows all that he did at all times, but he does not know what withesses may come here and testify. He is entitled to know the overt act charged against

10 o'clock a. m. yesterday. The boy was at once taken to St. Mark's hos-pital, where he received the best sur-gical aid possible. But it was hope-Recal aid possible. But it was hope-less, as almost every bone in the lad's body was broken, and although he suf-fored a great deal, being conscious most of the time until his death at 4:15 this morning, he stood the ordeal like a man. He became unconscious a little while before he died, and passed away

peacefully HER PRIDE AND JOY.

came nervous and flushed. **NEEDHAM PORITIVE.** The seedham bartender at heo forst the construction of the function of the works, were read by Mass. The was especially certain about the safe the theorem of the function of



SITUATION VERY PEACEFUL.

Nevertheless Every Preparation Has Been Made by State and City Auth-

orities in Event of Trouble.

San Francisco, May 6 .- The labor situation in San Francisco today shows no change from yesterday. The streetcars are not running, the telephone service s badly crippled, thousands of ironworkers are holding out for an eighthour day and nearly all of the bigaundries are idle. The tying up of the streetcar system

of the United railroads, not only has inanventenced everybody, but already had the effect in the retail section which is difficult of access from many marts of the city without a streetcar ervice. Even the theaters have been

service. Even the theaters have been forced to close temporarily. All corts of vehicles, from automobiles to drays are being used for the purpose of passenger transportation and the rate of fare from the ferry to the up-town district varies from \$1 to 10 cents, the price charged for a seat on a board in an express wagon, averaging 25 cents for a dis-tuce of less than two nilles. As the great majority of mechanics, clerks, la-borers and others entanced in the busi-Ince of less than two miles. As the great majority of mechanics, clerks, la-borers and others engaged in the busi-ness part of the city live far from the scene of their daily work, they are obliged to leave their homes an hour or more earlier than usual to reach their places of labor. Thousands doing business here reside in Oakhand. Berk-ley and other cities across the bay and when they land from the ferryboats at the foot of Market street are forced to hire any conveyance obtainable in or-der to reach their destination. No at-tempt to run cars will be made today. Conditions are made more scrious by the virtual suspension of telephone ser-vice. Nearly all of the operators are out on striks and the linemen threaton to join them as an expression of sym-pathy. White seme of the main ex-changes are able to respond to the calls of their customers, most of the would-be patrons of the wires are unable to make any contactions or even to ralse "central."

Brauting hills of particulars.
Senator Borah said that the indictment as to unurder was surely specific the charge in must be shown to prisoner the exact in the indict rational to unorder was a demand for the evidence in the company has now a number of men operation.
Senator Borah concluded his argument to prove the defendants were asking for the evidence in the charge as contemplated in criminal process and not for a specification of the these stronghoids and applatues for the statutes of Idaho nor the decisions of the courts anywhere

CORP. KNOWLES.

To be Tried on Charge of Attempting To Kill Capt. Macklin.

Fort Sill, Okla., May 6.—A court mar-tial to try Corporal Knowles, charged with attempting to kill Capt. Edgar B, Mackin at his home at Fort Reno upon the night of Dec. 21 last, convened here today.

the high of Dec. 21 has, convened here today. Corp. Knowles was a member of the Twenty-fifth infantry, whose mempers were discharged by President Roose-velt for alleged connection with the Brownsville affair. The attack upon Capt. Macklin followed closely after the discharge of Knowle's and his con-rades. Various motives have been as-cribed for the attack and the case has elicited a great deal of interest. Capt. Macklin returned yesterday from San Antonio, where he was ac-quitted last week after a trial by court-martial.

martial.

EFFORT TO SETTLE TROUBLE WITH RIO GRANDE EMPLOYES

Denver, May 6 .- Marvin F. Knapp, chairman of the interstate commerce com-mission, and Charles P. Nell, United States labor commissioner, who arrived in Denver last evening, held a conference today with representatives of the Denver & Rio Grande railroad and of the Brotherhood of Rallway Trainmen and Or

<text><text><text><text>

3.4

Board Meets in Executive Session to

and annuavits that may have influenced Judge Armistrong in grating the con-tinuance, is the fact that Judge S. R. Thurman, of counsel for Donaldson, was nol present and was reported to be conflued to his home with sickness. This left Donaldson without represen-tation, and would have made it difficult to proceed with the trial.

A "FUNNY" AFFIDAVIT.

A "FUNNY" AFFIDAVIT. The affidavit filed by "Jim" Donald-son, who signs himself in legal lan-guage as James, is an attempt to sat-guage as James, is an attempt to bring the O'Briens back and secure a fair hearing of the entire McWhirter case. This attempt to poke fun at the efforts made to locate the missing gamblers, is in line with the entire de-fense of "Honest George" Sheets, which has always been conducted in aggressive assault on those who have tried to let the facts of the Sheets con-spiracy out of the maze of circum-stances in which they were surround-ed before Partent and the McWhirters had made detalls clearly apparent. Jim Donaldson begins his affidavit by declaring himself to be a resident of Satt Lake City. As he doesn't state where his residence is, he still leaves a doubt whether he liked the county had fars, or is willing to slan a sattrfall fare, or is willing to sign a suffr-ical fing at the sheriff's office from some other reason than dyspepsia.

MISSING WITNESSES.

The absence from the state, says Mr. Donaldson, card sharp, of Larrey O'Brien, William Bell, and Charles Peck, each of said parties being a material witness, makes it difficult to

proceed. Then going on with the fact that he has made diligent inquiries to locate these witnesses, he continues by dehas made dingent inquires to locate these witnesses, he continues by de-claring that he has on admerous oc-casions conferred with Sheriff C. Frank Emery, of Sait Lake county, and with his deputy, Joseph Sharp, in relation to the whereabouts of these persons, and he has been informed by them that they have thus far been unable to locate their present whereabouts, but fhis affinit is informed and verify he-leves that said percusa and each of them can and will shortly be heated by Sheriff Emery and brought but the State of Utah and will shortly be heated by Sheriff Emery and brought but the State of Utah and will shortly be heated by a Utah and will shortly be heated by a Utah and will shortly be heated by the court so that their members and attendance can be had before this court at the September term (hereof) if this cause shall be combined will that time.

DONALDSON DENIES.

DONALDSON DENIES. Donaldson wants to break away from the reputation of being in business with the O'Briens, and to do so do the built be O'Briens, and to do so do the with the O'Briens, and to do so do the with the O'Briens, business arenings ment having to do with ritelr glimbility establishment. This pressure at the machine the output the pressure of the conducted there in the merely chart while he was there in the Antier rooming house taiking with the said back O'Brien. Larry O'Brien eams to the purpose taiking with the said back O'Brien. Larry O'Brien eams to the purpose taiking with the said strangers now known as Alexander the william McWhitter, that after their arrival there is card game was proposed.

of the prove t the

the state hoped

t act charged against timent gave the prison-o information as to the charge against him." concluded at 11:25 SENATOR BORAH'S REPLY. Senator Berah, who began at ones or the state, said that the defense was particularizatio

Its case. Haywood was at Haywood was at chinked was der the Idaho statutes. He on to the fact that the in-previouslybeen attacked in the bod and said that it had the said that there was no the Idaho statutes for is of particulars. the

provision has the family statutes for granting hills of particulars. Sengtor Borah said that the indict-ment as to uninder was surely specific enough to show the prisoner the exact rature of the charge he must meet. The demand for particulars as to the conspiracy was a demand for the evi-dence.

Mr. Richardson declared that the in-dictment did not charge either a specific conspiracy or a general conspiracy and did not show whether it was alleged that the detendants had conspired to murder only Gov. Steunenberg or to murder a number of persons. The ac-cused, he said, was therefore left in the dark by the indictment. The list of precedents and authorities quoted include the famous causes of Tilton vs. Beecher, the People of New York against Tweed, and the Chicago 'Anarchist cases.

nere and know the

r absolutely no

Mr. Richardson

Mr. Riel irdson reviewed the only Idaho precedent and contended as to the time of making the motion that it was proper at any day before the trial. The court asked if the case had not been ready for trial for about a year. Mr. Richardson replied that nearly a

any pleading because of the appeal to the supreme court of the United States