

DARROW ASSAILS THE CONSTITUTION

"It is Only Here to Destroy the Laws Made for the Benefit Of the Poor."

ROUNDLY ABUSED HAWLEY.

Declared Gov. Steunenberg Sowed the Seeds of More Strife Than Was Ever Sown by Any Governor.

Boise, July 24.—The career of Frank Steunenberg, the murdered Governor of Idaho, was discussed at some length by Clarence Darrow this evening, in the course of his plea in behalf of William D. Haywood. Justifying the articles published in the *Miners' Magazine*, the official organ of the Western Federation of Miners, the Chicago lawyer said the action of Steunenberg in asking for United States troops to quell riot and the establishment of martial law in 1899 was unjustifiable, and had properly stirred up intense feeling in labor circles against the governor.

Darrow's argument, unfinished tonight, developed into an appeal for labor against capital, and a denunciation of all opposed to the unions. He held an audience startled and open-mouthed as one after another the sentiments poured from his lips. His attack on Orchard was expected, and the limit of sensation. Three hours were given to Orchard, and it was only when vituperation, physical force and words were spent that Darrow turned to James H. Hawley, the leading counsel for the state, and the Pinkerton detective for whom the state was suing to recover the lesser volume of abuse.

The state of Idaho came in for a large share of Mr. Darrow's denunciation for the part it has played in the prosecution. Culture, education and wealth, each in their turn, were described as constituting a combination against which the workingman, the uneducated and the poor must be opposed.

Darrow sneered at the universities as purveyors of culture. "And what of the state?" he asked, "but a cruel tyrant always?" Reaching the climax of his denunciation of sympathy for the working classes and hatred for the ruling classes and the constitution of the country, and cried:

"The Constitution! The Constitution! It is here only to destroy the laws made for the benefit of the poor."

Darrow's defense of labor unions and of union men was passionate, and his eulogy of the Western Federation of Miners was glowing. He touched upon the beauty of self-sacrifice found in the "struggle for humanity when only the workingman is found," and then, with the bitterest sarcasm, his voice upraised, he heaped abuse upon the selfish rich and upon the administration of the state of Idaho.

DARROW'S PLEA.

When Clarence Darrow continued his plea in defense of Haywood at the evening session of the court, which opened at 6 p. m., he resumed his arraignment of Orchard and McFarland.

The attorney begged the pardon of the jury for dwelling so long upon the character of Orchard, but he said it was necessary in order to point out just what sort of man it was who was condemning Moyer, Haywood and Pettibone, so that the jury might determine whether it would be safe even to whip a dog on such testimony as he gave, much less to hang a human being.

Mr. Darrow described McFarland as a lying, deceitful scoundrel—the very life of a detective, he declared, was a living lie.

"This man who has spent his life in hounding down his fellow man, suddenly turns evangelist and would have you believe that Orchard is miraculously transformed into a new man. Orchard tells you how he talked to him about King David, St. Paul and Kelly the Bum," McFarland quoted the Scriptures in one breath and lied in the next."

Passing finally from his tirade upon Orchard and McFarland, Mr. Darrow began to discuss some of the evidence in the case, taking up the troubles in the Coeur d'Alene district of Idaho in 1899, when, he declared, Gov. Steunenberg sowed the seeds of more strife and struggle than was ever sown by the governor of any state down to the present time.

CONDEMN'S STEUNENBERG'S COURSE.

"There was no justification for it," exclaimed the attorney. "When such a course is taken by a chief executive of a state, it is high time that all government should be submerged and the only law be the law of might. There is no man living who can defend it. Doubtless Gov. Steunenberg felt that what he did was the only thing he could do. I am not here to discuss him or

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his motives, but I knew that both inside and outside of labor unions, in all walks of life, there were those who denounced and always will denounce the acts of Steunenberg so long as we pretend to have a government by law in these United States."

Defending the articles printed in the *Miners' Magazine* denouncing Steunenberg, Darrow said they were written by Ed Boyce, the first president of the Western Federation of Miners, a graduate of the smelters and not of the colleges, but an honest man with all that, and a man who had a right to express his honest views of the unwarranted herding of men in a bull pen, "surrounded by lice. Pinkerton detectives and other vermin."

With flaring words the attorney pictured to the jury the difference between the owners of the mines and smelters who rolled up their wealth and bought their way into the United States senate in the blood of the men who worked for them, and the miners and smeltermen who, when their days of usefulness were through, were thrown out on the scrap heap to perish and die.

"I would that more honest smeltermen like Boyce, that more honest blacksmiths with all their crude command of language, were writing for the newspapers today, and that more newspaper men of the time were working as blacksmiths."

DENOUNCED STATE'S ATTORNEY.

Darrow denounced the state's attorneys for allowing William Dewey who testified for the prosecution that he took part in the mob attack upon the Bunker Hill and Sullivan mill, to return to Colorado unhindered after confessing to murder on the witness stand.

"Were you asleep?" he demanded of the attorneys, turning to the counsel table where they were seated, "or was your witness lying? Are you honest in this prosecution, or is there here some damnable conspiracy to pick up the president of the Western Federation of Miners and hang them by the neck for the pleasure and benefit of the Mine Owners' association? There, gentlemen of the jury, you have the real strong, iron hand behind this prosecution. The mine owners of Colorado are pulling the wires to make you dance like puppets. They gathered these officers of the Western Federation of Miners up and sent them here to be tried and hanged with Idaho to hold the trial—trials to pay for it. And you men of this jury will have the pleasure of working to pay up the deficiency which has been incurred by the state to meet the expenses of the prosecution."

"Back of this prosecution, too, you will find Gen. William Wood, the joint-general of Colorado, who brought these men here. There he is with his epaulettes and his Harvard accent, a civilian in a military uniform, for that is what culture is for—to get rid of all the humanity there is in a man."

Here again Darrow reverted to Orchard and renewed the versatile denunciation which was ever at his tongue's command. Among other things, he termed Orchard scornfully a "cherub" and a "paragon of virtue," since his conversion.

When Mr. Darrow, late in the evening, reached the Colorado labor troubles, he grew eloquent in his denunciation of capital and his defense of the workingmen. He told of the eight-hour law passed by the Colorado legislature in 1899, and its defiance against that law by the owners of the mines and the smelters.

WHAT ARE LAWS FOR?

"They took it to the supreme court, and, of course, that court declared it unconstitutional," he exclaimed. "Of course it is unconstitutional to pass a law taking away from the Guggenheims the right to take 12 hours' work out of the hide of their workmen instead of eight. What are constitutions for except to be used for the rich and to destroy laws made for the poor? Gold is stronger than the pen—stronger than law. What are laws for if the rich have to obey them?"

"I am not here to say to you men that labor organizations do no wrong. I know them too well for that. They

have often done wrong, they have often been unjust and frequently corrupt, but the labor organization has always stood for the poor, for the weak, for humane laws and for human life and liberty."

"The men struck in Colorado for the eight-hour day and they got it. Are you, men of the jury, going to take it away from them?" Mr. Hawley asks you to destroy the Western Federation of Miners by hanging its leaders. Are you going to do it? Doubtless they have done some brutal things some criminal things and some that were not wise and some that were not just. Let's admit it. I know it and I am not going to lie to you about it, for I think too much of you."

"But, admitting all this, would you destroy the Western Federation of Miners and hang its 40,000 men, or force them to deal single-handed with the Mine Owners' association with the Guggenheims? If you destroy the labor unions of this country you destroy liberty when you strike the blow and will leave the poor to the bidding of the rich."

"I tell you, men, that so long as the employers of labor have the spirit of Rockefellerism in their hearts there is going to be trouble. Hawley says the Western Federation of Miners has made trouble. It has, and I am glad of it, for while we cease to cause trouble we become slaves and the others."

"The troops were called into Cripple Creek because old man Stuart was beaten up. I am sorry for the old man, but he admits he was wrong some eight hours a day—living off the fruits of what the union had worked for, and was working when the union was not. If some Western Federation men had been beaten up, if they had all been strangled and beaten, Gov. Peabody would never have called out any troops."

"OLD MAN STUART."

"And when you, men of this jury, think of old man Stuart, think you also of the Darling of Colorado, Bulkeley Wells, fooling around the Back Bay of Boston and spending his golden plenty. Think of Bulkeley Wells, the man who led a worker to a telegraph pole in zero weather because he was wringing out of the victims' carcasses all the golden guineas he would like to spend in Boston, and in England. Think of you of Bulkeley Wells and the others of his ilk—other idlers—whose families are clothed in silk sponsored with the sacrifice of workmen, think that when I tell you, and give them some responsibility in the events of Colorado."

Continuing to the very close of his remarks for the day to beate and denounce the prosecution, Mr. Darrow spoke of the time when they would be "leading forth their next victim to the sacrifice." He then turned to the prosecution with the Mine Owners' association, and spoke of the latter's "carnival of crime and destruction." The men driven from Colorado to the corners of the world had all returned to Boise to give the lie to Orchard, despite the fact that they were taking within reach "of the iron man of the prosecution."

Darrow had begun a detailed review of the evidence in the case as court adjourned at 9 p. m. until 9 a. m. tomorrow.

CUTICURA CURED MY BABY

Of an awful skin humor.—Mrs. M. C. Maitland, Jasper, Ont.

LIEUT. WADE SUES FOR \$100,000 DAMAGES.

New York, July 24.—Lieut. Charles T. Wade, who as an ensign was engaged in the United States gunboat *Albatross* when the boiler of the craft exploded, causing the death of more than 20 of her crew and injuring 40 others, has filed a libel suit against the International Magazine company, asking for damages in the sum of \$100,000. The plaintiff alleges that the magazine, in an article published in New Jersey and the defendant is a New York corporation, so the action is brought in the United States circuit court in this city.

The accident to the *Albatross* occurred in San Diego harbor, Cal., July 21, 1898. The basis of the alleged libel is an article which subsequently appeared in the *Metropolitan Magazine* under the caption "Growth of Caste in America."

This complaint sets forth that the article described the rivalries that had existed for years in the navy between officers of the bridge and the engine room. It is claimed, principally to social distinctions. The change was effected in 1899, when the staff and line were abolished and all the officers made to rank the same, was detailed in the article, and further comments made upon the chances at the naval academy, which so altered its course of study that all cadets were taught the science of steam engineering. The result, it is claimed, was a "paragon of virtue," since his conversion.

The article further stated, according to the complaint, that "boilers do not explode without gross neglect or gross incompetency," and in the magazine article a review of the accident this passage occurred:

"A young ensign, bookishly educated in engineering, stepped from the bridge to the engine room and tried the experiment of cutting out the steam gage and plugging up the safety valve, and all those lives paid the penalty."

While Ensign Wade is not mentioned personally by the writer, he declared he is wrongfully made to appear as being responsible for the death of his shipmates.

IN BREST HARBOR.

American and Japanese Cruisers Are Anchored Near Each Other.

Brest, July 24.—The Japanese cruisers *Tsukuba* and *Chitose* arrived here today. The visiting warships saluted the forts with 21 guns and then moved around to drop anchor near the American cruisers *Washington* and *Tennessee*, the latter the flagship of Rear-Admiral Stockton, which saluted the Japanese division with five guns, which was returned gun for gun. Immediately after the Japanese naval attaché at Paris, Capt. Meryana, boarded the *Tsukuba* and conferred with Vice Admiral Ijima. Later the Japanese vice admiral and his staff came ashore and were received by Rear Admiral Petah of the French navy. The visitors then called upon the mayor and civil authorities of Brest.

The crews of the Japanese cruisers are to be kept in Brest until further orders, and the American bluejackets also have been denied shore leave. Rear Admiral Stockton explains that this is customary upon the day before warships leave the port.

The officers of both squadrons attended an elaborate reception, followed by dancing, given by the naval authorities in the garden of the maritime prefecture. The American and Japanese officers mingled upon the most friendly terms and the best of good nature prevailed.

Vice Admiral Ijima and staff will leave for Paris tonight.

CARDINAL GIBBONS.

Quickly Celebrates His Seventy-Third Birthday.

Westminster, July 24.—Cardinal Gibbons, who was 73 years old yesterday, celebrated the event quietly at the home of friends here. The cardinal said he was in splendid health.

In commenting on his long life and his work, the cardinal said that a life of usefulness and helpfulness to one's fellow men is the only life worth living, and with the glorious hope of immortality, the measure of one's years was not bounded by time but endured forever.

A MEMORABLE DAY.

One of the days we recall with pleasure, as well as with profit to our health, is the one on which we became acquainted with Dr. King's New Life Pills, the painless purgative that cures biliousness and biliousness, constipation, bowels right. 25c at Z. C. M. I. Drug Store, 112 and 114 Main Street.

SWIFT JUSTICE IN RUSSIA

New Regulations Only Allow Seventy-Two Hours Between Indictment and Execution.

PUNISHED FOR ANY CAUSE.

Girl Who Stole Five Dollars Sentenced To Death and Her Accomplices To Life Imprisonment.

St. Petersburg, July 23.—The new regulations concerning a mode of procedure for the military district courts, introduced July 20, have now begun to bear fruit, and the results constitute a close approach to the notorious reign of the drumhead courts-martial, which were abolished by the late duma.

The innovations shorten the entire course of the inquest and trial, allowing only 72 hours between indictment and execution, including the appeal of the prisoner to the military court of cassation, and the decision of this court. The former regulations allowed a fortnight for this procedure.

New military courts are now obliged to hand down sentences without waiting to hear the testimony of witnesses, who may be absent. They also enjoy jurisdiction over a wider area than the former drumhead courts, which only operated in the provinces that had been placed under a state of extraordinary defense.

The number of executions under the new rulings shows a sudden increase. At Kiew yesterday five sappers were executed, and today another sapper was to have been executed at Moscow, another at Warsaw, and at Yekaterinburg three workmen have been put to death under decisions handed down by these new courts.

Another young man named Danbe was sentenced to death at Riga for the theft of \$5, and two girl accomplices, aged 12 and 20 years, were sentenced to exile and hard labor for life.

WAS IN POOR HEALTH FOR YEARS.

Ira W. Kelley, of Mansfield, Pa., writes: "I was in poor health for two years, suffering from kidney and bladder trouble, and spent considerable money consulting physicians without obtaining any marked benefit, but was cured by Foley's Kidney Cure, and I desire to add my testimony to the health of others." Refuse substitutes. For sale by F. J. Hill Drug Co., "The Never Failing Substitutes."

STEEL TRUST WILL FIGHT WESTERN FEDERATION.

New York, July 24.—The strike of workmen in the ore mines of the Lake Superior fields is receiving the serious attention of the officials of the United States Steel corporation. Wm. E. Corey, the president, has the handling of the strike under his supervision and his lieutenant, Thomas E. Cole, president of the Oliver Mining company, is on the lookout at Duluth for any signs of trouble. It is made that the corporation will stand out for what the officials consider common justice in its fight with the Western Federation of Miners. The organization has outwitted itself, the officers of the corporation hold, in disregarding the terms of its own resolutions before they had been in the hands of President Cole 38 hours.

It is stated that the program adopted is to fight without compromise what is termed the small percentage of men in the ore fields who are actually members of the Western Federation.

JAPAN'S PROPOSALS TO KOREAN CABINET.

Seoul, July 24.—It is understood that the proposals of Japan with which Viscount Hayashi was charged were presented by Marquis Ito to the Korean cabinet, which met at 9 o'clock this morning under a Japanese guard. The meeting was held in the temporary quarters of the minister of agriculture in the Japanese section of the city. The ministers deliberated until 4 o'clock in the afternoon when Premier Iwan-Yung together with the minister of war presented the new plan of governing the state to the emperor in the palace, returning to the cabinet meeting within two hours.

It is understood that the Japanese proposals, though they do not molest the security of the throne, are revolutionary and the fact that the audience of the cabinet members with the emperor was brief is believed to be evidence of the contentment of the court.

There is more Catarrh in this section of the country than all other diseases put together, and until the last few years was supposed to be incurable. For a great many years doctors pronounced it a local disease and prescribed local remedies, and by constant use failing to cure with local treatment, pronounced it incurable. Science has proven catarrh to be a constitutional disease, and therefore requires constitutional treatment. Hall's Catarrh Cure, manufactured by Hall's Catarrh Cure Co., Toledo, Ohio, is the only constitutional cure on the market. It is taken internally in doses from 10 drops to a teaspoonful. It acts directly on the blood and mucous surfaces of the system. They offer one hundred dollars for any case it fails to cure. Send for circulars and book of testimonials. Address: F. J. CHENEY & CO., Toledo, Ohio.

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