

MOYER-PAYWOOD TO STAND TRIAL

Judge Wood Overrules Motion to Dismiss the Case Because of Delays.

BORAH ARGUES FOR STATE

Proceedings of Lower Court Would Have Been Null and Void Before Supreme Court Passed on Request for Habeas Corpus.

ROSE, Idaho, March 18.—In the case of Charles H. Moyer, William D. Haywood and George A. Pettibone, Judge Wood at Caldwell today, overruled the motion made by the defense to dismiss the case.

The motion was based on the long delay in the trial. Since the cases were ready for trial two terms of court have passed, one of which was in December, and the defense contended that the accused were entitled to their liberty on the ground that two terms had passed since they were arraigned.

E. F. Richardson, for the defense, made an argument based on the theory that the statutes of the United States do not act as a bar in such cases to the determination of an appeal in habeas corpus proceedings.

In reply to an inquiry from Senator Borah that if the men had been convicted and the Supreme Court had thereafter decided the appeal in their favor, the verdict would have been set aside, Mr. Richardson said that was true.

In overruling the motion, Judge Wood said he was not called upon to pass upon the question whether the Federal statute raised a bar to proceeding while the habeas corpus proceedings are pending.

The afternoon session after the rendering of the decision of Judge Wood, was taken up with the motion made by the defense last Spring for a change of venue.

Two hours were consumed in reading the extracts from papers that circulate in the county, this being in support of the claim that the public mind had been influenced by newspaper publications on the case.

Defendants in Good Spirits. The defendants entered the courtroom just before the time for convening. They all appeared well groomed and in fine spirits.

Among the arraigned was W. J. Scott, of Cripple Creek, the first of a number of Socialists introduced in different parts of the country to attend the trials and to report to the organization sending them there.

Richardson stated that there has been two full terms of court since last May, and that on December 4th, court convened, held a full term, and adjourned sine die December 29.

Mr. Borah Replies. Borah said: "I wish to ask you, Mr. Richardson, suppose we had gone on with these trials last May and the Supreme Court should have reversed United States Circuit Court on the final decision, would our proceedings here have been null and void?"

polling the running of trains through the city at six miles an hour, by increasing the speed to ten miles an hour through the thickly populated part of the city.

The action of the Council was the result of Alderman Haas' war on the Southern Pacific, which resulted in the trains creeping through the city at less than six miles an hour, and a great howl was made by hundreds of angry passengers on the trains today.

DEAD OF THE NORTHWEST

Mrs. Jacob Wiscarver. McMINNVILLE, Or., March 18.—(Special)—Mrs. Jacob Wiscarver, who died March 18th, was buried here today from the Christian Church.



The Late Mrs. Sophronia Gibson. The body of Mrs. Sophronia Gibson, who died at her home at North Mount Tabor, Sunday, was shipped to Salem yesterday, and the interment will be held at the Spring Valley Cemetery today.

Member in the Christian Church. Mrs. Wiscarver was the mother of eight children, those living are, John G., of McMinnville; Joseph F., of Holland, Or.; and Joseph Newton, of Healdsburg, Cal.

Nehemiah Gill. OREGON CITY, Or., March 18.—(Special)—Nehemiah Gill died at the home of his son, J. S. Gill, in Logan, Saturday, and was buried Sunday in Pleasant View Cemetery.

Funeral James P. Suddeth. HOQUIAM, Wash., March 18.—(Special)—The funeral of the late James P. Suddeth, pioneer of Astoria, who died Saturday, took place from this city today.

James Hartage, Cottage Grove. COTTAGE GROVE, Or., March 18.—(Special)—James Hartage, aged 69 years, died at his home here last night from consumption. He was born and raised in Cornwall, England, and came to the United States in 1874.

Royal Baking Powder ABSOLUTELY PURE. Lighter, sweeter, more palatable wholesome and free from alum and phosphatic acid.

Long Delayed Freight Arrive. WALLA WALLA, Wash., March 18.—(Special)—Many carloads of freight that have been held for months in different parts of this state and others are arriving in Walla Walla.

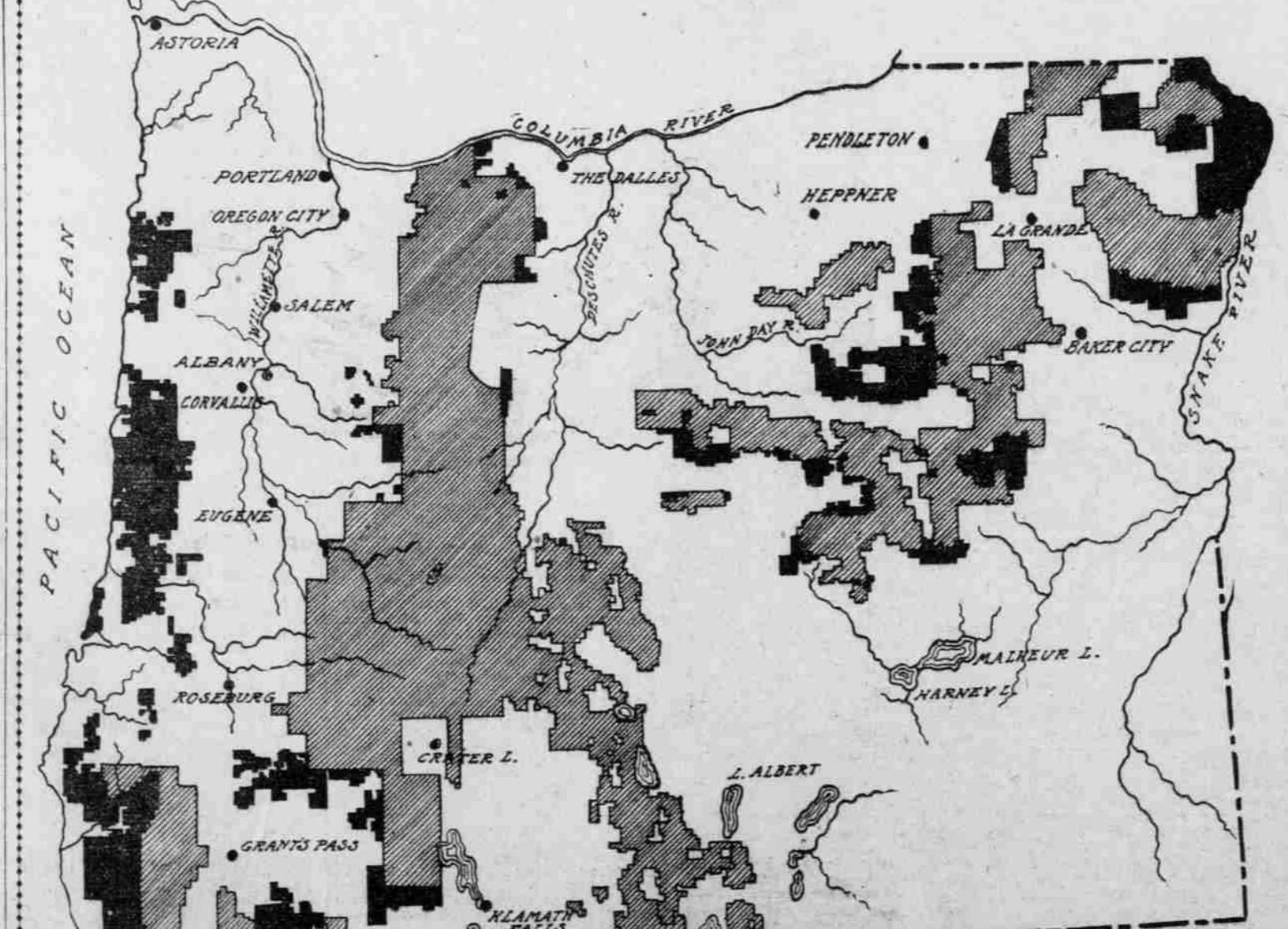
LABOR UNION CRIES QUILTS SEATTLE TRADESMEN ACCEPT BUILDERS' ULTIMATUM. Strike to Be of Short Duration—Concrete Mixers Get the Only Advancement—Laborers Plentyful.

SEATTLE, Wash., March 18.—(Special)—Although the lockout of labor on building operations in the city affecting 5000 men went into effect today, pending a settlement of the question of increased pay for union unskilled labor, the labor leaders say there will be no long suspension; that they are ready to sign a two years' wage scale and will limit their demands for increase to concrete mixers and let other common labor go unskilled.

MONEY IS SIMPLY STOLEN. Count of Chicago Federal Funds Falls to Find \$173,000. CHICAGO, March 18.—The counting of the \$2,000,000 in the local sub-treasury to determine whether the shortage of \$173,000 discovered February 20 was due to a mistake in bookkeeping was finished today without the discovery of anything to explain the shortage other than that the money had been stolen.

Officer of Scouts Dismissed. WASHINGTON, March 18.—President Roosevelt has approved the sentence of dismissal in the case of First Lieutenant Noah Overly, of the Philippines scouts, who was tried and convicted by court-martial on charges of reprehensible conduct.

MAP OF OREGON, SHOWING TRACTS SET ASIDE IN FOREST RESERVES. The recent order of President Roosevelt setting aside 4,651,000 additional acres in Oregon as forest reserves makes a total acreage in forest reserves in this state of 16,551,728 acres.



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The NEW PROCESS GAS RANGES. The Gas Range is unquestionably the greatest modern convenience of the kitchen, and where the demand is for the most economical and most efficient cooking apparatus of this kind, the "New Process" stands foremost.

MISSION ROCKER SPECIAL. A comfortable Arm-Rocker in the characteristic Mission, built of solid oak, in the popular fumed finish; equipped with genuine leather cushions, well filled. Sells regularly for \$27.50. A few of these to close out at, special \$16.50.

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