

ARGUMENTS HEARD IN THE BOISE CASE

Lawyers Discuss a Bill of Particulars-- Mrs. Haywood Is There to Attend the Trial.

Boise, Idaho, May 6.—Judge Wood will on Wednesday decide it on the eve of his trial William Haywood is entitled to receive at the hands of the state a bill of particulars, specifying over the counts charged against him. The motion of the defense for this disclosure was argued today, and the court announced that it would make a decision at the time stated. The prisoner, under guard of Sheriff Hodgkin and his two deputies, was brought into court for the argument of his counsel. Both Frank Richardson and Clarence S. Darrow pleaded in his behalf. Senator Borah alone spoke in behalf of the state. The argument, always earnest, was characterized at times by great feeling and dramatic intensity. Richardson, who opened the argument, contended that the indictment was lacking in particularity; that it left the defendants in the dark as to the nature of the case to be presented against them, and that the defendants were entitled to a more specific showing of the case. He submitted an extended brief citing a great number of authorities and precedents in favor of his contention. Borah in reply declared that the defense was seeking a disclosure of proof in the hands of the state rather than perfect pleadings, and asserted that there was no single authority that would support their contention. Darrow, who closed the argument, began by saying it was the purpose of the defense to secure a disclosure

of evidence in the hands of the prosecution, and asked why the defense was not entitled to a showing. He made a spirited attack on the attitude of the prosecution toward it regarding its witnesses and evidence, describing it as mysterious, unfair and unjust. He asserted that the only question involved was one of fairness and justice to the accused. He laid stress upon the difficulty of securing testimony from distant points and the danger to the defense of "surprise" testimony, and impassionately asserted that the rights of the prisoners were as much in the hands of the prosecution as in the keeping of the defense. In answer to Judge Wood, Darrow said the defense was not ready to go to trial, but Richardson interrupted him to make the qualification that it was as ready as it could be in the circumstances where the case of the state was withheld from it. He said in all other respects the defense was ready. Richardson, responding in brief to the argument of Borah, said the counsel for the state made no distinction between overt acts which the state could seek to show against the prisoners, and the evidence by which it would show a commission of alleged overt acts. The defense wished to know what the overt acts were. Borah closed the discussion with a spirited speech in which he defended secrecy in securing witnesses, instancing a loss of two in Colorado yesterday; disavowed a desire for any man's blood unjustly, and avowed the purpose of the state to do its duty.

ARE MARRIED AT COQUILLE

N. Osmundson and Miss Ella R. Wickham are Wedded Sunday Evening.

BOTH WELL KNOWN

Couple Will Make Home in This City, to Which Groom Recently Moved.

(Times Special Service.) Coquille, Ore., May 6.—N. Osmundson and Miss Ella R. Wickham, both of this city, were quietly married Sunday evening, at the residence of Mrs. G. R. Wickham, the bride's mother, in the presence of a few relatives. The ceremony was performed by Rev. Mr. Brenham, pastor of the North Methodist church of this city. Mr. Osmundson and wife will reside in Marshfield, to which place they went this morning. Miss Wickham was one of the best known young ladies of Coquille and nearby cities, and has a host of friends. Mr. Osmundson has been a resident of this city since last October, at which time he came here from Roseburg to take charge of the local office of the Title Guarantee and Abstract company, of which Henry Sengstacken is manager. During his short stay Mr. Osmundson has met and made friends with a great many people, being a well liked young man. Mr. Osmundson came from Minnesota, where he had been in the abstract business, arriving in Roseburg in 1903, at place he went to work in R. R. Johnson's abstract and real estate office. After working for Mr. Johnson a few months he resigned and had charge of J. D. Hamilton's abstract office, until that gentleman sold out two years later to F. E. Al-

ley. Mr. Alley retained Mr. Osmundson in charge of the office until he came to this city to accept a position in the local office. During the time Mr. Osmundson lived in Roseburg he made a great many friends, and was one of the most popular young men in the city. He has just moved to Marshfield, where the main office of the company is located, and the couple will live in that city.

SEYMOUR BELL COMES. Will Be on Coos Bay Within a Few Weeks.

H. C. Diers received a letter from Seymour Bell Monday stating that the latter would be on Coos Bay not later than May 14. It is thought that Mr. Bell's visit is chiefly for the purpose of presenting the proposed electric road franchise to the Marshfield council.

PLAY AT CITY PARK.

First of Series of Outdoor Concerts Is Given.

The band boys played last evening in the city park for the first time. The lights have been put in and it is the intention of the band to practice in the park twice a week during the summer months. The boys had quite a large attendance.

WEATHER FORECAST.

The weather forecast for today follows: Western Oregon, fair, warmer except near coast; western Washington, fair; eastern Oregon, eastern Washington and Idaho, partly cloudy with possibly showers.

LOCAL WEATHER.

The local weather for yesterday, as reported by Dr. Mingus, the Marshfield observer, follows: Highest... 53 degrees, Lowest... 43 degrees, 6 p. m. ... 51 degrees, Wind in southwest. Partly cloudy.

MURDERER'S BODY IS DISCOVERED

Remains of Frank Smith Are Found Where He Probably Committed Suicide.

Oakland, May 6.—The decomposed body of Frank Smith, the slayer of John Marcovich, were found this morning in the estuary. The remains were positively identified by Antone Glecak, Marcovich's partner. The body showed that it had lain in the water since about the time the murder was committed. A bullet hole through the skull indicated that the man had committed suicide.

TENMILE HAS MUSIC

First Piano in the Place Bought by George Schroedder.

Tenmile, Ore., May 6.—W. R. Haynes Musical company of Marshfield sold to George Schroedder a very handsome upright piano. This is the first musical instrument of the kind ever delivered at Tenmile. Mr. Schroedder does not intend to neglect the musical education of his children. The Metzler Lumber company of Tenmile has delivered to Mr. Walker 15,000 feet of sawed lumber, the first instalment to be used on the construction of a new residence which will cost when completed about \$4,000.

SISTERS EXPRESS GRATITUDE.

To Citizens Who Supply Long Felt Want.

Recently some of North Bend's citizens donated sufficient money to lay a sidewalk on Sherman avenue in front of the Mercy hospital. Through the columns of the Times the sisters express their appreciation. Card of Thanks.

The Sisters of Mercy desire to return their grateful thanks to the gentlemen who were instrumental in having the sidewalk constructed on the Sherman avenue side of the Mercy hospital. It is a great boon to the many pedestrians who pass up and down the avenue, besides adding much to the appearance of the hospital. May such good donors prosper!

C. A. SMITH COMPANY PROVIDING FOR MEN

Large Boarding House Will Be Constructed At Once—New House Going Up At Bay City

The C. A. Smith company is making extensive preparations for the housing of the men employed at the plant. The company will begin at once the erection of a big boarding house. It will be located about 400 feet south of the site of the new office. The work of putting in the foundation will probably start Wednesday. The building will be 88 feet long and 36 feet wide, and three stories high. On the lower floor there will be a dining room and kitchen and quarters for the people who will have charge of the place. The second and third floors will be divided up into rooms for the men. There will be thirty-two rooms, each comfortably accommodating two men. This will give sleeping quarters for sixty-four men, and a place to serve meals to perhaps a greater number.

A Little City. About the old mill at Bay City there is growing up quite a little city. The mill is running at full force, and soon a night shift will be put on. Three nice houses are nearing completion. They are double houses, each side having three rooms to accommodate a family. There are other smaller houses which were there before the company bought the plant, making places for sixteen families. The company expects to put on more double houses at once. Some of these houses are occupied by single men, but they will be moved as soon as possible to make room for the married men. Provide Good Quarters. In the bunk house at Bay City about 75 men are being served meals every day, and about 60 are housed there. Previously the men were given mattresses and furnished their own bedding, but the Smith company furnishes the rooms throughout, so the men are quite comfortable. A

FURTHER STEPS ARE BEING TAKEN

Committee on Proposed Electric Railroad Meet and Organize for Work.

Another step toward the proposed electric line between Roseburg and Coos Bay was taken Monday night, when meetings were held in North Bend and Marshfield. At the latter place the following committee was appointed: C. S. Winsor, Frank Temple, F. H. Brigham, H. C. Diers, and L. J. Simpson. At Marshfield the committee which had previously been appointed elected Walter McFarland as chairman and James Flanagan, secretary. The committees appointed on Coos Bay will hold a joint meeting with those from Myrtle Point, Coquille, Bandon and Roseburg, at which the plans for the financial backing of the venture will be gone into at length.

MRS. B. D. JONES DIES.

Old Resident of Coos County Passes Away.

Mrs. B. D. Jones, an old and well known resident of Coos Bay, died Saturday, May 4, at her home in Empire. Mrs. Jones had been ill for some time, and her death was not a shock to her relatives. She was born in Bristol, England, in 1838.

The funeral will be held from the residence this afternoon at 2 o'clock, and the burial is to be in the Empire cemetery. The services at the residence will be conducted by Rev. Father Donnelly. The steamer Alert will leave this city at 1 o'clock this afternoon, in order that those wishing to attend the funeral here may do so. They will be brought back immediately after the funeral.

L. D. KINNEY SPEAKS.

Delivers Address on Electric Line at Coquille.

L. D. Kinney yesterday accepted an invitation from the Coquille business men to go to that city and deliver an address on the advantages of an electric line from Roseburg to Coos Bay. Mr. Kinney missed his train and was driven over yesterday afternoon. The address was delivered last night.

RELATIONS ARE NOT SEVERED BY MEXICO

Relations With Guatemala Are Still of a Peaceful Nature--First Rumors Denied By the Officials

Mexico City, May 6.—Diplomatic relations between Mexico and Guatemala have not been severed. Tonight the sub-secretary of foreign affairs denied the report from Washington to the effect that Minister Gamboa had been recalled.

Washington, May 6.—Although actual news of the severance of diplomatic relations between Mexico and Guatemala has not reached here, officials in Washington have no doubt that Mexico took the action which resulted in giving the Guatemalan minister to Mexico his passports. The American charge, Philip Brown, in Guatemala, has been instructed to look after Mexico's interests in the Guatemala capital. Diplomatic rupture does not mean war, although the fact that the countries adjoin causes anxiety. There may be at any time invasions by irresponsible bands, and doubtless trouble would result that might easily end in a declaration of hostilities.

BRICK AND TILE PLANT READY

D. A. Utter Will Begin Operations at His New Plant Today.

ON ISTHMUS SLOUGH

Quality of the Product Is as Good as Is Found in Any Locality.

The D. A. Utter Brick and Tile Manufacturing company's plant is now ready for business and will commence operations today. This plant was owned jointly by Messrs. Taylor Siglin and D. A. Utter until recently, when Mr. Utter purchased the entire concern. The company has a plant capable of making 40,000 brick every ten hours. The plant is located on Isthmus slough, but the company will have retail yards in both Marshfield and North Bend. Barges will be used in taking the output of the plant from the kilns to the yards. Mr. Utter stated yesterday that while he had not closed any contracts for brick, he had been given to understand that several million would be needed just as soon as he could produce the proper article. Mr. Utter is confident that he can make a brick here equal to any that can be made anywhere. The new plant will furnish employment for twenty men from the start.

P. A. DEVERS VISITING IDAHO

He Speaks Well of Coos Bay at Payette, His Former Home.

IS WITNESS IN CASE

Was Cashier in the First National Bank There for Many Years.

P. A. Devers, of this city is back at his old home in Idaho. He speaks well there for the Coos Bay country. The Payette, Idaho, Independent has the following to say regarding Mr. Devers' visit there: "P. A. Devers is in Payette this week shaking hands with his many friends. He came here as a witness in the Lauer-Mass case, which is to be tried at Vale, Oregon, and expects to be here about a week. "Mr. Devers, who was cashier of the First National Bank here for many years, and long was a prime mover in the business and political interests of southern Idaho, is now president and manager of the Investment Securities company of Marshfield, Ore. He thinks the Coos Bay country, of which Marshfield is the financial center, has a great future. The country to a large extent is in a raw state, although extensive coal mining has been done there for the last fifty years. "People often wonder why it is that Coos Bay has gone so long without being settled, if it has the natural resources and possibilities which are claimed for it," Mr. Devers said. "It has been because of economic reasons. The resources and possibilities are there, but Coos Bay has been an unhandy place to get to. It was easier to get timber and coal in Washington and other places in Oregon, but now that there is no more cheap timber available at these other places, some of the largest timbermen in the country have turned their attention to Coos Bay and they are investing their money there. Smith, the big Minneapolis lumber manufacturer, will erect at Coos Bay the second to the largest saw mill in the country. Henry Hewitt, the Tacoma millionaire lumber man, has also shown his faith in Coos Bay by making many investments there, and he is securing franchises for building electric railways there. "It is evident that Coos Bay agrees with Mr. Devers, as he is looking exceptionally well and has gained considerable flesh. Mrs. Devers has been spending the winter in Portland, but she will go to Marshfield with Mr. Devers in the near future.

Personal Mention

Charley Lee, representing the Portland Flouring Mills company, is in the city calling on the trade. Mr. Lee has been ill for some time since he left here, but is feeling much better at present. P. H. Soule, representing the R. N. Nason Paint company, is in the city calling on the trade. H. C. Schubert, formerly steward on the steamer Alliance, and well known on the bay, is in the city attending to business matters. J. T. Hall, who has been ill for the past few days with a bad case of bronchitis, is much better and will be able to be out soon. C. E. Maybee, who has been attending court at Coquille, has returned to his home in North Bend. William Walters, of North Bend, is at North Bend under the care of a physician. Rinaldo M. Hall, who came here to write up the place for eastern magazines, left for Portland on the Kilburn Sunday. California hay took a drop of \$5 per ton yesterday, which is the lowest it has been on the bay for several months.

The steamer M. F. Plant is billed to leave San Francisco tonight, arriving here Thursday and sailing on her return trip Saturday.