

FAMOUS CASE NEARS JURY

Beginning of Last Stages In The Haywood Murder Trial.

EXPERT ARGUMENT FRIDAY

Court Would Eliminate Some of Evidence.

NOT MATERIAL TO ISSUE

Prosecution Decides Not to Call On Pinkertons to Give Testimony.

Boise, July 17.—The state of Idaho rests content with the evidence it has produced to prove Haywood, secretary and treasurer of the Western Federation of Miners, conspired to kill and therefore murdered ex-Governor Steunenberg. Tomorrow Haywood, through his counsel, will rest the case with the jury, so far as the evidence is concerned.

On Friday the argument is expected, and the last stage of the trial will have commenced. After having dismissed the jury this afternoon, Judge Wood stated his opinion that the evidence introduced by the defense to prove a conspiracy on the part of the mine owners by showing the deportation of union miners from Cripple Creek in 1903-4 was not material to the issue involved, and should not be submitted to the jury.

Another announcement by the court was the determination to conclude the case within the next week. J. H. Hawley will open the argument for the state and E. F. Richardson for the defense. Darrow will close for Haywood. And the final argument will come for Senator Borah. Today opened with the statement from Haywood's counsel that they desired the court to order D. C. Scott, William Dewey and J. C. Rutan, witnesses for the state, to remain within the jurisdiction of the court.

This afterward was explained on the ground that the defense is considering the advisability of issuing warrants charging the state's witnesses with perjury. Late tonight Darrow said it was doubtful if any such steps could be taken. The state called but two witnesses today, although Hawley had stated eight or ten remained. At the last moment the prosecution decided it would strengthen their case not to call the mine owners or Pinkertons. As the result a number of the most interesting witnesses will not be heard. These include Gen. Bulky Wells, commander of the Colorado state militia during the disorders in 1903-4, and Captain McParland, superintendent of the western division of Pinkertons, who it was expected would be one of the most picturesque witnesses. The witnesses today were from Colorado and gave accounts of conditions around the mines. O. M. Sackett, an employee of the Smuggler Union mine of which Bulky was manager, had an intimate knowledge of conditions in Colorado during the troubles and no amount of cross-examination could change Sackett's assertion that the mob of Citizens Alliance in Cripple Creek were made up of good citizens of the district who took the law into their

BOB FITZSIMMONS IS KNOCKED OUT IN THE SECOND ROUND

Philadelphia, July 17.—Jack Johnson stopped Bob Fitzsimmons in the second of a six-round bout tonight. Fitzsimmons did not show a trace of his former cleverness and it is probable Johnson could have put the old man out in the first if he had cared to do so. The blow that put Fitz out was a light one to the jaw. He fell to the floor and made no attempt to rise. The hissing, which usually follows a knock-out of this character, was absent. The spectators evidently taking compassion on the former champion.

"JAP" SEEKS ERRING WIFE

SPOUSE DESERTED HIM IN SAN FRANCISCO.

Took \$200 Belonging to Husband and Made Journey Eastward.

Chicago, July 17.—Soya Sakimo, a Japanese merchant of San Francisco, came to Chicago today in search of his wife, who he said had deserted him in California and came East with \$200 belonging to him. The Japanese said he would spare no money in his efforts to locate his wife, and that he did not wish to leave her to the police to deal with. He brought with him a letter of introduction from the Chief of Police of San Francisco. Lieutenant Bohan informed Sakimo that it was difficult for him to take official action in the case, as Mrs. Sakimo had committed no offense.

"A woman is not guilty of any offense when she takes her husband's money," said Lieutenant Rohan. "I do not want her arrested," said the Oriental. "I just want to find her myself, that's all."

With an ominous gleam in his almond eyes, Sakimo laid half a dozen photographs of his runaway wife on the lieutenant's desk. Detective Kiple was assigned to escort Sakimo about the Japanese residences, but Lieutenant Rohan said he would keep his eyes on the man when the woman was found.

WILL HOLD STEAMER NEBRASKA

To Be Detained at Honolulu Pending New Certificate.

San Francisco, July 18.—The steamer Nebraska's certificate of inspection expired on June 9, and the vessel is now on the way from Salina Cruz to Honolulu, where she will be held until she obtains a new certificate. Supervising Inspector John Birmingham has wired to Washington for instructions, and it is thought that Inspectors Bolles and Bulger will leave for Honolulu, from whence they have just returned by the Alameda, which leaves on July 25, for the purpose of inspecting her with a view to renewing her certificate.

HEAT CAUSES MANY FATALITIES

Pittsburg, July 17.—Ten fatalities due to heat occurred today, making over a score of deaths the past thirty-six hours.

hands as a last resort and deported men on the grounds that the men who refused to work or permit others to, should be sent away.

He admitted some deportations were unjust but stated positively when these were discovered they were allowed to return. Sackett stated of his own knowledge and information that he knew of a number of murders and outrages committed by the union miners. And that the calling out of the militia was necessary to the preservation of life and property. The last witness of the day and last for the state was William Stuart, a Scotchman with a beard and with a burr of his country on his tongue. He was a miner in the Cripple Creek district during the troubles and told a terrible story of maltreatment at the hands of the miners who warned him he would have to take the consequences if he went to work as a "scab," and with native stubbornness Stuart went to work, however, and today with his native wit told of the consequences. Richardson dismissed the witness with the words "that's all." Stuart wheeled out of the witness chair and as he stepped down he said quickly, "Hump, well, theres more if ye want it," and with this the prosecution rested.

GLASS TRIAL PROGRESSES

Heney Makes Another Attempt To Introduce Incriminating Testimony.

COUNSELS AGAIN CLASH

Defense Contests the Examining of Supervisors.

THE COURT WILL DECIDE

Glass Jury Has Commodious Quarters and Are Surfeited With Life's Luxuries.

San Francisco, July 17.—The trial of Louis Glass reached a crucial stage today when the prosecution made the first attempt to introduce the testimony of ten or more supervisors other than Boxton, that their votes were bought by Theodore V. Halsey, acting under the directions of Vice-President Glass of the Pacific States Telephone and Telegraph Company. Such evidence is called "evidence of similar offenses," and is often admitted in criminal trials for the purpose of showing corrupt intention on the part of the defendant in the commission of the act for which he is tried.

The defense contests this right mainly on the ground that the State is not privileged to prove other crimes in the effort to establish the crime on trial. The argument of this point is conceded to be even more than its original importance since the defection of Vice-President Zimmer from the ranks of the prosecution's witnesses occupied the last two hours of the day and was still in progress when court adjourned. The jury was excused at the commencement of the argument and were taken to a nearby park and later to their quarters at the Fairmount Hotel.

The Glass jury is faring as well, if not better, than the Schmitz jury. The men who are to decide the fate of the indicted telephone magnate are living in luxurious apartments at the Fairmount Hotel on Nob Hill. No one is allowed to communicate with the jurors, nor approach their chambers. Deputy Sheriff James Ryan and Deputy Sheriff Ben Montgomery keep constant watch in the rooms where their wards lounge and sleep. The jurors are well entertained, while in their rooms, for they are not allowed to stay in the hotel lobby. They occupy their time reading, smoking and conversing.

GEN. STOESEL IS INDICTED

TREASON CHARGED AGAINST BRAVE RUSSIAN GENERAL.

Other Generals Are Indicted For Alleged Crimes Against the Government.

St. Petersburg, July 17.—It is officially stated that an indictment in connection with the surrender of Port Arthur was today handed down against General Stoessel and other Generals who defended the fortress. In addition to the charge of surrendering to the enemy General Stoessel is accused of falsely reporting the situation to the Czar, and also of other offenses with the object of concealing the truth.

Generals Stoessel, Reuss, Fock and Smirnov are all indicted, Stoessel and Fock with th abominable crimes of deliberately sending false reports of battles which never occurred, of recommending for decorations their own friends and generals who lost battles and of surrendering fortresses in spite of ample means of resistance. All crimes with which Stoessel, Reuss and Fock are charged are capital offenses.

CRYSTAL HALL DEATHS

London, Ont., July 17.—Eight lives is the total of yesterday's collapse of Crystal Hall.

JAPANESE NOT WANTED

BRITISH COLUMBIA WOULD BAR THEM OUT.

Canadians Do Not Want Little Brown Men as Laborers Among Them. Ottawa, Ont., July 17.—Reports of the strained relations between the United States and Japan interest Canadians intensely, not only because of the prospect of war and of the possibility that Canada may be drawn into the struggle by the operation of the Anglo-Japanese treaty, but also because Canada has a Japanese problem of her own that probably will lead to a controversy, if not a direct struggle, between the Dominion and the province of British Columbia.

That province has been engaging for some years in vain attempts to subject Japanese (and even East Indian subjects of the British crown) to the operation of exclusion laws. Time after time such statutes have been enacted by the Provincial Parliament, only to be vetoed by the Federal Government.

The Legislature of the Coast province also passed bills based on what is known as the Natal act, whereby all immigrants are compelled to undergo examinations in the elements of English, and are subject to deportation should they fail to pass. These have been disallowed twice by the Dominion Government, but have been re-passed and are now in force in the province.

TO RUN FOR RE-ELECTION

FAIRBANKS SATISFIED WITH VICE-PRESIDENCY.

Grilling Which He Has Lately Received Responsible For Change of Attitude.

Washington, July 17.—Charles Warren Fairbanks may change his program with respect to the republican national ticket that is to be nominated a year hence, according to reports from sources calculated to furnish an insight into the machinations of the tall Hoosier. The grilling the vice-president has received recently at the hands of investigators who have delved into his history is believed to have put him far to the rear in the race for first place on the ticket. He himself, it is asserted, understands this, and is trimming his sails to capture the nomination for the office he holds.

The prevalence of sentiment in many parts of the country for the nomination of President Roosevelt for another term seems likely to be utilized by the present heir presumptive to further the scheme that is said to be incubating. Politicians are looking to see the vice-president become an ardent Roosevelt boomer in the near future—if not in person, vicariously through agents who understand his motives and desires—with himself for second place once more.

BASEBALL RESULTS.

Portland, July 17.—San Francisco 5, Portland 4. Tacoma, July 17.—Tacoma 1, Seattle 0. Aberdeen, July 17.—Aberdeen 5, Butte 3.

EMPEROR MAY ABDICATE

KOREAN RULER IS CONSIDERING RADICAL MOVE.

Matter Will Come Before Ministers This Evening—Occasional No Surprise.

Tokio, July 18.—The Emperor of Korea has sent for Marquis Ito, and it is likely he received the Marquis in audience this afternoon. It is believed that final decision on the request for the Emperor for the abdication of Corea will be received this evening, when the ministers appear in a body before his majesty.

London, July 17.—The abdication of the Emperor of Korea would cause no surprise here. Matters have been drifting that way ever since the Japanese occupation of that country, and the Japanese government evidently regards the despatch of the Korean delegation to the Hague as affording the long-sought pretext for putting an end to the anomalous condition of affairs in Korea.

GRAPHIC TALE OF EXPLOSION

Captain McCrea Tells Story of Battleship Georgia's Disaster.

HEROIC ACTS PERFORMED

Terrible Catastrophe Averted By Bravery.

GUNNER TOYS WITH DEATH

Extinguished Burning Bag of Powder When Explosion Seemed Imminent.

Boston, July 17.—Captain Henry McCrea gave the Associated Press a graphic story of the disaster to the battleship Georgia Monday which cost the lives of nine men and injured thirteen others, some perhaps fatally.

He said: "I was on the bridge making the run for the practice and taking observations of each shot. I saw we were beating the records of the other ships in the fleet. On the bridge I could hear the command from the after turret, so I knew when the next shot was coming. I heard a shout 'fire,' but there was no shot, and then I saw the men running aft, and getting the fire hose, which is always in readiness when the firing is going on.

"I rushed to the after bridge to see what was the matter. Water was already being poured into the turret. Boatswain and Midshipmen Gravenscroft led the way for their men with the hose. I tell you there was courage. No man knew what had happened no man knew what danger he might be running. But those men never thought of self or danger. That brave act will look well on their records.

"Then they began to bring out the men. One of the first was the one in whose hands the powder flashed. I went to him, but could not recognize him. His hands were burned to the bones. The flesh was gone. With those hands raised above his head and the tips of his fingers bent toward each other, I could hear him whisper, 'Oh God, Oh God, Oh God!' He could not move his lips enough to utter other words. I went closer to him and said, 'My dear fellow, God has heard your prayer.'

"He was brought ashore but soon died. The men were brought out as fast as they could be taken from the turret. Most of them felt relief as soon as they got in the open air, and away from the gases from the terrible smokeless powder. That is what kills. The external burns were hideous, but to breathe that stuff is fatal. One man in that turret was not hurt, Midshipman Kimbal, and I do not understand how he could have escaped. He, too, showed grit after the shock he had. Lieutenant Goodrich set an example to his men that none but a courageous officer could have set, when he plunged into the flame and gases and led the way to safety. After he got to the deck he threw himself over board. If our launch had not been nearby he would have drowned.

"Probably one little act or rather one great act of one of the men prevented a far greater disaster. I don't know his name; he is dead. He and one other stood by the second gun that had just been loaded. The last bag of powder that had been put in was protruding a little from the gun, when he saw the flash. Instead of dashing for the ladder to save himself, he crowded home the charge and with the help of the other men got the gun closed before the flame reached the bag.

"If the flame had touched that bag there would have been an awful explosion, for the powder was confined and would not have flashed as the other did, but would have exploded, and not a man in that turret would have been left alive. That man gave his life for the others. "Since we went back to the target ground the men have been shooting better than before the accident. We

WHOLESALE DESERTIONS REPORTED FROM THE BATTLESHIP MINNESOTA

Norfolk, July 17.—During the past few weeks 100 desertions have been listed and advertised from the battleship Minnesota, one of the warships at Hampton Roads. The local police were notified of fifteen desertions yesterday.

Washington, July 17.—It was stated tonight there is no official notice regarding the wholesale desertions from the battleship Minnesota.

WILL CLEAR UP DOCKET

GOVERNMENT WILL DISPOSE OF OLD CASES.

The Interior Department Wants to Start Out With a Clean Slate.

Washington, July 17.—The investigation decided upon by the Departments of the Interior and Justice in relation to the status of criminal proceedings in the courts throughout the public land states involving Interior Department matters was begun today in Salt Lake City. The investigation will be made by three experts, including an examiner from the Attorney General's office, the District Attorney in the district in which the suits are filed, and a special agent of the General Land Office.

The inquiry at Salt Lake City is intended to be a test, and the result arrived at there will determine what further investigations shall be made in the field or in the department offices here in Washington. The investigators are directed to make one of three recommendations in each case. First, as to whether the case shall be dismissed as of no importance; second, whether it shall be prosecuted, and third, as to whether investigation shall be made as to what final disposition shall be made of it.

There are many old cases involving irregularities of one kind or another pending in the courts throughout the public land states, and the present investigation is intended to clear the docket.

PROMINENT MINER IS STRICKEN.

P. F. Simonds Suffers Severe Stroke of Apoplexy.

San Francisco, July 17.—P. F. Simonds, a prominent mining man of Nevada City, who has been in the city for several days on business matters, suffered a severe stroke of apoplexy yesterday afternoon. He was walking with his wife near Golden Gate avenue and Franklin street when the attack came and he was taken to the Central Emergency Hospital, where he was treated by Dr. Roche. Later he rallied and was removed to the Jefferson Hotel, where he is stopping. He is still in a serious condition.

haven't finished practice and we are going back to the targets and break the record."

Boston, July 17.—The Naval Board of Inquiry, appointed to investigate the cause of the explosion on the battleship Georgia, today examined three of the men now in the Chelsea naval hospital; these being the only ones the surgeons would permit to be seen. The board also examined the turret and took the evidence of such officers and men as are familiar with the conditions or the witnesses to the affair.

Among the naval officers the theory of the explosion was caused by a spark floating from the smoke-stack, being discarded. It is known the crew of the after-turret had an intense zeal to become the crack crew of the fleet and it is thought that over zealousness and disregard or precaution in the rapid handling of the guns might have caused the tragedy, the explosion being possibly due to unburned grains of powder from the breech, igniting a bag of powder. It is feared that four of the men at the hospital will not survive the night.

WEATHER FORECAST.

Western Oregon, fair; Western Washington, fair, except showers in extreme northwest portion. Eastern Oregon, Eastern Washington, Idaho, probably fair.