

"NEVER DID I PAY ORCHARD OR ANYONE TO COMMIT A CRIME" SWEARS HAYWOOD ON THE WITNESS STAND IN HIS OWN DEFENSE

CONTRADICTS STORY TOLD BY ASSASSIN

Haywood on Stand All Morning and Makes Good Witness—Denies in Total All Assertions of Murderer—Colorado's Dirty Linen.

Betting Even That Trial Results in Hung Jury—Evidence So Conflicting That Conviction Probably Impossible.

By John Nevins.
Boise, Idaho, July 12.—With Haywood and Moyer's story told to the jury the defense in the trial of Haywood for the murder of former Governor Frank Steunenberg at the gateway of his home on the last day of 1905, has practically played its hand. Next week will be used up by the state in presenting its evidence in rebuttal and it now seems absolutely certain that a verdict will be reached by July 25.

While there is much discussion here as to what the result will be it is generally conceded that a disagreement must result. The evidence has been so conflicting that it will be a hard matter to separate the wheat from the chaff and get down to the real case matter—did Haywood and his associates conspire together to kill Steunenberg? As a matter of fact were the penalty in this case less than death the state might win but there has been so much extraneous matter permitted by Judge Wood to be recited that there really exists a reasonable doubt, in the minds of those who have been in court every day since the trial began, as to the exact knowledge Haywood had of the acts and movements of Orchard, Steve Adams and others.

Jury Likely to Disagree.
And this doubt is likely to hang this jury of farmers and cause a mistrial.

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CHIEF FORESTER HERE



GIFFORD PINCHOT.

DETECTIVE DAY'S COSTLY JAUNT

Oregon's Treasury Will Be Heavily Taxed for Portland Sleuth's Trip.

Oregon's treasury will be indebted to William Winters and Joe Day more than \$1,000 when the latter reaches Portland with John T. Thompson, the man who is charged with robbing Winters of \$3,000 worth of diamonds nearly two years ago.

Joe Day has been gone from Portland on his travels to Washington, D. C., to New York and from there to London and back again for two months or more. He went east by way of Washington in order to receive his commission from President Roosevelt as an arresting officer and agent of the United States and the state of Oregon. He then went to New York and from there sailed to London.

Day Had a Good Time.
For a long time Day dabbled about the points of interest in the largest city in the world and wrote letters back to friends here telling of the wonders of the old world. After London detectives

COMPLAINTS ARE FEWER EACH YEAR

Gifford Pinchot, Chief Forester of the United States, Says Conditions in Service Are Better in West Than He Expected to Find.

Distinguished Government Official, Accompanied by Chief Newell of Reclamation Service and Dr. McGee, Arrive.

Gifford Pinchot, chief forester of the United States, accompanied by F. H. Newell, chief of the reclamation service, and Dr. W. J. McGee, secretary of the inland waterways commission, arrived in Portland this morning a day in advance of Secretary Garfield and party, and stated that conditions in the forestry service were better in the west than he had expected to find them.

"The complaints from settlers," he said, "are growing fewer each year. While some of them are based on good cause, most of them are based through a misunderstanding of conditions governing the administration of the forestry service."

Don't Understand Laws.
"Settlers have in most cases only a vague understanding of the laws under which the service is operated and few realize that it has been in operation only a few years and has grown into one of the largest departments in the government. To create such a branch of the government and place it upon a satisfactory working basis has taken much time and labor, and viewed from that point its accomplishments are remarkable."

"We have to contend with the cutting down of vast areas of timber. If this were allowed to go on without attempting to rehabilitate the forests, it would not be many years before we would be lacking a source of supply. We have already stemmed the tide and the next few years will see still greater progress made."

"To grow forests requires time, and because of this fact we have to be strict in the obligations we place upon those who wish to cut the timber for commercial purposes. As soon as they are brought to realize these facts, we have little difficulty in winning them to our side, and in most cases receive hearty support."

No Radical Changes.
"My trip to the coast is not for the purpose of making radical changes in the administration of the forestry service. We are accompanying Secretary Garfield and party for the purpose of investigating the country and holding conferences to determine what conditions obtain."

All the members of the party that arrived today are members of the inland waterways commission. They are studying conditions of waterways in the west. This commission was appointed by President Roosevelt a year ago and has for its object the study of inland streams and lakes that can be fitted for navigable purposes. The care and conditions of these waterways is taking up part of the time of the various members on their western trip.

In referring to the cutting of timber on forest reserves, Forester Pinchot said his only object in coming to Portland a day in advance of the rest of the party was because he had more work to attend to here than he could accomplish in a day. He will spend today in consultation with forest supervisors going over the conditions in Oregon.

MR. E. Z. MARK PURCHASES FAME FOR \$35



ITINERANT CARTOONIST—"Hello, Mr. Mark. You're a great man, but you've never been properly appreciated. You ought to have your picture in the paper. Only those who have attained dignified distinction in the community, like yourself, are entitled to rank with the 'familiar faces in everyday life' and it only costs you \$35."



E. Z. MARK—"I am delighted at the chance to become famous and to have my merits put in proper light at such a trifling cost. Here's your \$35, Mr. Cartoonist."

ITINERANT CARTOONIST—"Thank you, Mr. Mark. Your picture will appear tonight in the paper. And here is the original drawing, which you can keep."

CAPTURES SLAYER OF HIS SISTER

Italian Laborer From San Francisco Stumbles Upon Calabrian Who Committed Murder and Fled to This Country as Stowaway.

Nicodemo Claro Confesses His Crime, but Declares in Justification That the Woman Was Unfaithful to His Brother.

It is a far cry from the peaceful little hamlet of Mammola nestling in the sunny vine-clad hills of Cosenza, Italy, to "where rolls the Oregon," but murder will out and now the long arm of the law has reached forth over 5,000 leagues of land and sea for Nicodemo Claro, who brutally slew his beautiful 19-year-old sister-in-law January 16 of this year.

With the arrest this morning at 5:15 o'clock of Claro by Captain Bailey and Sergeant Johnson in an Italian lodging-house at 333 Front street, a remarkable tale almost fictional in its character and furnishing a motif for a problem play worthy of an Ibsen, has been laid bare.

Uncle Sam, represented by the Immigration department, has interjected himself into the case with a view toward deporting Claro to New York, and the international color is considerably heightened by Italian Consul-General C. F. Candiana's connection with the matter.

Found by the Brother.
Claro's arrest was the result of information furnished to the police last night by Giuseppe Buggesi, brother of Claro's victim. The manner in which Buggesi accidentally located the murderer of his sister is one of the most remarkable features of a case replete with sensationalism.

Buggesi, who is a laborer, arrived in this city last night on the Southern Pacific overland from California. Prior to his departure from San Francisco, Buggesi received a letter from his sister, Nicodemo, conveying the startling information that his sister had been shot and killed by Nicodemo Claro January 16. Details of the tragedy were not given in the letter and the one of his steady boarders was Nicodemo Claro.

Upon arrival here he betook himself to the Italian quarter and by strange coincidence wandered into the house at 333 Front street, the very place selected by Claro as his abode.

The stranger was welcomed with true Italian hospitality by the landlady and in the course of a conversation the tavern keeper mentioned the fact that one of his steady boarders was Nicodemo Claro.

Hurries to Police Station.
Stunned and bewildered by the knowledge that the slayer of his beloved sister was perhaps under the very roof, Buggesi was speechless for some time, but finally controlled himself, made his excuses and hastened to police headquarters.

Captain Bailey, after hearing the story, communicated with the Italian consul and after a consultation with the official at midnight it was decided to make the arrest. The letter was submitted to Mr. Candiana by Buggesi and pronounced by him to be authentic.

In the city prison this morning Claro, through an interpreter, without a trace of emotion, admitted the murder. "I killed her because she was unfaithful to her husband, my brother. Did I not have a right to do so?"

Obeded Unwritten Law.
The interrogation is evidently sincere, as Claro apparently does not seem to realize the enormity of his crime. In Calabria the unwritten law evidently has many interpretations.

From Claro it was ascertained by the immigration officers that he came to this country as a stowaway on a steamer, but he does not remember at

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OPEN SHOP POLICY ADOPTED

Governor Buchtel of Colorado Declares That No Organization of Any Kind Will Be Allowed in Future to Dictate Conduct of Mines of Centennial State.

Dr. Henry A. Buchtel, governor of Colorado, arrived in Portland last night and stated today the Colorado mining situation will be handled hereafter on the open shop policy and no organization of any kind will be allowed to dictate what action shall be taken regarding the conduct of the mines or the miners.

"That does not mean," said Governor Buchtel, "that Colorado will be hostile to any legitimate labor organization. We want organizations that have for their object the raising of the quality of labor. When they accomplish that they will secure higher wages."

Revolutionary Wage Increase.
"Chief Arthur of the Brotherhood of Locomotive Engineers told me on several occasions that the object of the brotherhood was to raise the grade of

the men and not for the purpose of embarrassing the railroads with sympathetic strikes or unjust demands. He said the result of such a policy made by a trust or combine, shall be deemed guilty of a felony, and, upon trial and conviction, shall be punished by confinement in the penitentiary for from two years to ten years. Its provisions apply to all merchants who sell trust-made goods and all persons who

may be directly in the employ of such concerns in this state.

It is announced by Attorney-General J. V. Davidson and his assistant, J. P. Lightfoot, that they intend to enforce the law to the letter. The bill was drawn by Mr. Lightfoot and his particular object was to use it as an instrument to drive every trust and unlawful combination out of Texas. Merchants do not care to run the risk of a term of imprisonment for selling such goods and many of them have already taken steps to quit handling such articles.

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NOW A FELONY TO EVEN SELL GOODS MADE BY A TRUST

(Journal Special Service.)
Austin, Tex., July 12.—The most drastic anti-trust act enacted in any state goes into effect in Texas today. It provides, in substance, that any person who represents an agent or sells goods made by a trust or combine, shall be deemed guilty of a felony, and, upon trial and conviction, shall be punished by confinement in the penitentiary for from two years to ten years. Its provisions apply to all merchants who sell trust-made goods and all persons who



E. Z. MARK (on Mrs. Mark's return)—"Look here, Mary, at last I'm famous. See my picture in the paper. O joy! Dignified distinction at last! And now the people know who I am. It's worth all these years of obscurity to reach at a bound the top round of the ladder of fame. O joy!"



MRS. MARK—"E. Z., you've been buncod! Don't you know that anybody can get their picture in that paper for \$35, and that the cartoonist gets half of it for working you for a sucker and the paper gets the other \$17.50? And everybody knows it. E. Z., you've made yourself a laughing stock, and the whole town is giggling at you. I'm ashamed of you, E. Z."

INDIAN SENDS HIS FATHER TO JAIL

Tempted by Whiskey, Umatilla Brave Steals Son's Nag and Sells It.

George Marshal, an Indian living on the Umatilla reservation, pleaded guilty this morning before Judge Wolverton in the United States district court to stealing his son's horse and was sent to the county jail for six months. Marshal stole a horse once before

KOREA APPEALS TO THE HAGUE

Japanese Treachery Exposed—Americans Asked to Stop Oppression.

(Journal Special Service.)
The Hague, July 12.—Prince Tjyong Ouyi, who was sent secretly to the peace conference by the Korean emperor to enlighten the world as to Japan's breach of pledges and brutal tyranny over Korea, said today that Korea is sending special envoys to appeal to President Roosevelt and the American people to intervene and stop the barbarous oppression. Tjyong calls the Japanese "highwaymen, barbarians and murderers," and adds that Japan is trying to steal Korea as barefacedly as robbers ever robbed a coach.

In her declaration of war with Russia Japan said one of its principal aims was to insure independence to Korea, which considers America its best friend.

The Japanese attack women, the Korean declares.

It was decided today that hostilities may immediately follow the declaration of war by one nation against another. The Dutch proposition to require an interval of 24 hours between the declaration and hostilities was voted down by the committee. It is probable that the revalling war rules will be changed to require a declaration of war before hostilities opened. Japan was voted a sensation when M. Teudzuki emphatically favored the French proposition requiring a formal declaration of war before hostilities opened. In the recent war Japan blew up a Russian warship without a formal declaration. Japan's switch is regarded as significant.

MINE VICTIMS ARE FOUND IN AUDENRIED

Freeland, Pa., July 12.—The ninth body was today taken from the Audenried mine. Investigation is slow, owing to the poisonous white damp.

DIRECT INDORSEMENT OF UNWRITTEN LAW

NEWSPAPER WOMAN FROM OREGON SENT TO INSANE ASYLUM

(Washington Bureau of The Journal)
Washington, July 12.—Mrs. Mina W. Wilmarth, claiming to be a prominent newspaper woman in Portland was detained here last night and today sent to the government hospital for the insane. She claimed that she was being persecuted on account of her publishing accounts of the land frauds. She gave the physician Burns Harney county, as her residence. Her mother is Mrs. Charity Wilson of Prineville, Crook county, Oregon. She has been notified.

Detective Evans, who made the arrest, said that Mrs. Wilmarth was a morose fiend and thoroughly unbalanced mentally. She was annoying people by telling them that she was hounded by persons on account of her connection with newspaper land frauds.

Mrs. Wilmarth is publisher of the Harney County News, a weekly paper published at Burns.

Mrs. Bowie and Son Acquitted of Murdering Betrayer of Her Daughter.

(Journal Special Service.)
Laplat, Md., July 12.—After making a defense based upon absolutely nothing aside from the "unwritten law," Mrs. Bowie and her son, slayers of Hubert Posey, were acquitted of the charge of murder upon one ballot this morning. Posey betrayed Mrs. Bowie's daughter, Priscilla, and was killed by the mother and brother of the girl, upon his refusal to marry her.

When the jury retired this morning it remained just long enough to take one ballot. Immediately returning to the courtroom the foreman handed a verdict to the court absolutely clearing Mrs. Bowie and her boy. When the verdict was announced the crowd which filled the courtroom went wild. Efforts of the court and bailiff to stop the demonstration were in vain, and cheer after cheer rang out fairly shaking the building.

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UNCLE SAM TO BUY STOCK IN MANY RAILROADS

Washington, D. C., July 12.—President Roosevelt is considering the advisability of making a recommendation to the next congress on the railroad question that will excite general comment and attention. It is nothing more or less than that the government become a small stock holder in some of the large railroads of the country, with a view to having a representative placed on each board of directors. By this process the government would become thoroughly informed as to the inside facts of every railroad and be in a position to enforce such reforms as it might desire to make.

If made at all the recommendation of the president will be that the congress provide an appropriation for the purchase of a small number of shares of stock in certain railroads that may be selected. When these shares have been acquired, assuming that congress would fall in with the plan, the administration will know how to proceed to force roads into allowing a government director on each board.

DR. FULLER GIVEN SENTENCE AND FINE

(Special Dispatch to The Journal.)
Baker City, Or., July 12.—Dr. Roy Fuller, who was last Saturday found guilty of manslaughter, having been charged with criminal practice as a result of which Mrs. Dave Gower died, has been sentenced by Judge William Smith to serve 10 years in the state penitentiary and pay a fine of \$1,000.

CONSUMPTIVES BARRED FROM EMPLOYMENT

At its meeting this morning the council committee on health and police voted to recommend for passage the Baker ordinance prohibiting the employment of tuberculosis infected people in public eating houses or around food being prepared for human consumption. The ordinance was introduced some time ago by Councilman Baker.

Complaints were heard from residents in the neighborhood of the Lewis & Lewis mill, 387 Madison street, who allege that the building is in a dangerous condition from sliding and shaking. The matter will be brought up at the next meeting.