

Steele's Fate Hangs in the Balance

State Makes a Clear Case of Infanticide Against the Accused and Defense is Very Weak

The case of Earl Steele, charged with murder in the first degree, for the alleged killing of his newly born infant daughter at Coquille City on the afternoon of June 23rd, was called Friday morning in the circuit court at Coquille City, at 8:45 a. m. Judge Schiltrede and Howard M. Brownell appearing as attorneys for the defense.

The task of securing a jury of twelve men able and willing to give a fair trial to the accused occupied the time until 3:30 p. m., when, after the examination of 28 jurymen the following were selected: Fred S. Davis, M. F. Zumwalt, J. W. Fuller, F. E. Wilson, Geo. F. Williams, John Beckenhoff, Geo. A. Gould, V. N. Barker, H. G. Howard, Lester Smith, R. W. Helm, W. B. Rogers.

The case was then begun by the opening address of Prosecuting Attorney Geo. F. Brown to the jury.

A brief synopsis of the testimony of the different witnesses may be given as follows:

The first witness sworn was Dr. Walter Giffin, a resident of Coquille. He testified that he had examined the child after it was produced from the closet in which it had been concealed in two gunny sacks, and that the death had been caused by crushing the head, also stating that the child was fully matured and of the female sex. The child was practically clean and the skin over the skull was not broken.

The next witness was Dr. Russell, also a resident of Coquille and a registered physician, who testified that he was called to the house of Earl Steele about 3:30 p. m. on the day of the crime, and found the wife suffering. He inquired of the defendant, Earl Steele what was the trouble and defendant told him bowel trouble. The doctor could not be deceived, so he saw the child into the world before he left. The defendant begged of him to keep it quiet and say nothing of it for his wife's sake. Defendant told him he had kept this a secret for nine months and intended to do so. Defendant pleaded again and again with the witness to keep the matter quiet, and the witness made him no answer. Dr. Russell stated that he then left in search of assistance leaving the child lying between its mother's thighs, the cord still unsevered. He found Sheriff Steve Gallier, who then went to Lawyer Sherwood's office and not finding him went to the office of Sperry & Chase, finding only Sperry there. The three then went to the house but the child was not to be found. Earl Steele was then asked if there had not been a babe born there, and he did not reply. Then the wife was asked, and still there was no reply. So the witness then proved to the sheriff that something was wrong, so that Sheriff Gallier then said that it would be up to him to arrest Earl Steele if he did not produce the child, but he still made no reply. So the sheriff started with Steele for the jail, and on the way the defendant asked how many people knew of it, and Gallier told him most everybody, he guessed, and Steele's wife was that if the doctor had been called that it could have been all over. In the meanwhile, Dr. Russell was called out to see about a man who had been poisoned and needed his assistance. Returning promptly, he met Gallier, W. W. Gage and John Simmons, father of Earl Steele's wife, who were in the yard. After

some minutes a search was begun. Dr. Russell was asked by Simmons to take a lamp and look in the closet which was in the room 2 or 3 feet to the left of the bed on which Mrs. Steele lay, and he was only in there a minute when he felt a gunny sack which contained mushy-like flesh, so he called on the other gentlemen for witnesses, and Gage brought the sack out and unrolled it, finding another sack inside, and when that was unwrapped the body of the infant was shown.

Steve Gallier, sheriff of Coos County, was the next witness. He went to the house shortly after 4 p. m. and returned to the house at 20 minutes to 5, accompanied by Dr. Russell. Went to the house and stopped in the sitting room while the doctor went to the bedroom. The doctor said, "Steve, come in," so he went into the room. The doctor threw down the bed covers, saying: "when I left there was a child here. Where is it?" Gallier said: "Is that possible?" A call came for the doctor and Steve Gallier, and they found a man poisoned, and the doctor treated him. Then Dr. Russell and the two Galliers went to the house, and Steve Gallier asked the defendant if a child had been born there that day. As he could find no child, witness took the defendant to the jail. Defendant asked if the affair was known around town, and witness replied that everyone knew it.

Witness asked defendant why he hid the child, and defendant said it was to save the girl from disgrace. Witness asked where the child was, also, but he would not tell. Witness came back and told him he must tell, but he never did. The child was afterward brought to witness by Mr. Gage. There was only a small red spot on the head, and no bloody sores.

John Simmons was the next witness. He was a resident of Coquille City and a laborer, employed in the Coquille mill. Earl Steele was residing in the Simmons house. Witness left the house at about 7 a. m. on his way to work. He knew the location of the room, of which he made a rough sketch, and which he described to the jury. On Sunday, 12th of June he had been down town and heard that his niece was about to be confined. He went home and thought he would speak to them about it. The next day about 1 o'clock in the afternoon, he spoke to Steele and at that time Earl told him that it was a lie and that if he would tell him who had said it he would make them suffer. Simmons told him that if it was so, they wanted to fix everything up so as to be prepared. Witness was so mad at that time that he could have torn the heart out of Steele. On June 23rd witness left the house in the morning and went home at noon and had dinner. At that time he stepped to the door of Mrs. Steele's room to see how she was.

W. W. Gage took the stand. He resided at Coquille. On June 23rd was night watchman. He went to the residence of Earl Steele in company with Mr. Gallier to find the body of the infant that had been reported to him as murdered. He asked the doctor to take a light, and see what there was there, and in a minute the latter called to witness, who unwrapped the two sacks and found the body of the infant, which he took down to the court house to the sheriff, and the body was turned over to the coroner. The

that, was on the house, and the defendant looked pale and worn.

She was positive of there being a child birth. Mrs. King was called. Resided at Coquille City in the house adjoining the one in which Steele lived. She saw Dr. Russell come to the house, and later she went to the house to see what was the matter. Both Steele and his wife told her that Mrs. Steele had the grip. She stayed at the house 30 or 40 minutes. She was at the house before Steve Gallier came.

Mr. King was called. Resided at Coquille City, adjoining the Steele house. Saw Earl Steele on June 23rd, 1904 who went down the street and then returned and went into the house, and made this trip about three times. Witness sent his wife in to see if she could help the woman, as she was making a noise. So far as he knew, when Mrs. Steele was dressed you could not notice it, but owing to the talk of the town-people he thought a birth was due. Witness saw Russell go in and out, but did not meet the doctor.

O. M. Steele was placed on the stand. Resided at Coquille. Went to the residence of Earl Steele with W. W. Gage, as he was deputized by the sheriff, and it was agreed that Dr. Russell should search the house. In a few minutes a gunny sack was taken out of the closet and unwrapped, two sacks being used, and there was the body of the baby. There was no blood.

Ed Gallier, deputy sheriff, was the next witness. He went to the house of Earl Steele, where his brother (the sheriff) asked defendant if there had not been a baby born in the house, and he said yes, but he could not deliver it. So Steele was taken into custody, and all they could get from him was that it was done for her sake.

Lydia Simmons, sister of Mrs. Steele, was called. Was there at the Steele residence on the afternoon of June 23rd. Mrs. King was there and Mrs. Steele was in bed, and defendant was present, he said that nothing was up. She knew nothing of the child. John Simmons came after Steele was taken to jail.

John Simmons, father of Mrs. Steele, was the next witness. He came to the house at two minutes to 6 on the evening of June 23rd. He knew nothing of the child being born. The first he heard of it was by his son, and he told him that he did not believe it. Dr. Russell came in shortly with Gallier and also told him the same, and the doctor wanted to know where it was and searched the yard and then went to town for some medicine. Was not there working that day. He stayed there the night before and ate breakfast there, and Mrs. Steele did not eat breakfast or lunch. Witness left for the mill at 1 p. m.

This closed the testimony for the state.

Mrs. Croy was the first witness called for the defense. Had resided in Coquille 6 years. Earl Steele was an adopted son, witness was not personally acquainted with his mother. Defendant's disposition was always kindhearted, but he developed slow in body and mind. As a small boy he was sometimes out of his head and for over a year he was troubled, but Dr. Bradford told her to let him play and it might be outgrown. He was always wakeful and in need of a light, and he always complained of a headache.

Russell Johnson was placed on the stand. Knew defendant 4 or 5 years, and he always appeared to be kindhearted boy.

The testimony was concluded at 2 p. m. Prosecuting Attorney Brown, for the state, and Brownell, for the defense, made their addresses to the jury last evening, concluding at 10 p. m. Schiltrede, for the defense, and Brownell, for the state, closed this morning, and the case went to the jury at noon.

At the hour of going to press no verdict had been reported.

Approximately 11,000 former strikers are at work. A few mountain men are left in the yards, the packers still providing their lodging and board. The packers are opening up all departments and a few days more will see all establishments at their normal capacity.

County Court Proceedings

Roads and Bridges

Ordered that the following bills incurred in building and repairing roads bridges and ferries be paid out of General Road Fund as follows:

Ferry and slip at South Slough crossing, Empire Bandon road J. H. Miller, rope, nails etc. \$ 16 45 Fred Hagelstein, anchor etc. 12 20 Simpson Lumber Co. 2 blocks, lumber and saw 515 05 Star Flyer, freight 50 Wm Burnitt, towing 66 00 Pioneer Hdw Co, wire, rope etc 95 35 Albert Hagaman, tarring rope and piling 32 57 W G Lawhorn, piling 72 00 A W Neal, driving piles and cash ex labor 339 38

Petition of Peter Axe for damages not allowed.

Ordered that the reports of various road supervisors be approved and bills for various districts be paid as follows:

W M Kay, Supvr, labor self and team rd 41 50 Geo Sell, labor, rd 21 10 00 James Vowell, labor, rd 21 22 00 Geo Sell, labor, rd 21 90 00 J. B. Foster, labor rd 21 40 00 Chas Peterson, labor, rd 21 17 00 Wm Rohm, labor rd 21 04 00 T H Muhl & Co, supplies 28 25 Perry Schroeder, labor, self and team, rd 27 40 00 A Devant, labor rd 27 56 00 Geo Bird, labor rd 27 28 20 Henry Radbaugh, labor rd 27 62 80 Geo Pope, labor rd 27 32 00 Bert McCloskey, labor rd 27 38 00 A J Radabrogh, self, supv 64 10

In matter of orders issued by Supervisor, road district number 14 continued awaiting report of supervisor.

W A Prewett, supvr labor r d 20 87 00 Ed Faly, rent piledriver 4 43 E M Dickson, labor, r d 20 84 25 P Swindall, labor r d 20 51 00 C Taylor, labor r d 20 12 00 W M Taylor, labor, self and team r d 20 153 50 W G Dickson, labor r d 20 58 80 Joseph Flann, labor self and team r d 20 71 40 E Dyer, rent engine 37 00 W A Prewett, self and team r d 20 8 00 Coy T M Co, lumber 1076 89 A McNair, spikes and bolts 21 66 J A Lambie Co, spikes 12 00 Minard & Bloom, lumber r d 17 18 93 Pioneer Hdw Co, powder, fuse rd 18 10 00 Thomas Nichols, supvr 102 80 Charles Baker, labor 6 00 Warren Elliott, labor 26 00 Geo Johnson, " 18 00 H Beck, " 18 00 Al Wyman, " 9 00 Ira Alfice, " 25 00 Jack Farley, " 45 00 Howard Colver, " 10 00 Geo Nichols, " 18 00 John Larsen, " 40 00 C Pierpont, " 14 00 John Farley, " 35 00 W McMillen, " 8 00 Warren Elliott, " 22 00 J W Cashing, supvr rd 10 96 26 L G Masters, labor 88 00 Chas Masters, labor 6 00 Chas Ewertbrook, labor 16 00 Pioneer Hdw Co, nails 27 55 James Stock, labor making fill 172 00 Ed Stock, labor making fill 23 00 Orth Wilson, labor self and team 41 00 Geo Cashing, labor rd 10 46 00 Julius Larsen, making fill 25 00

May n cisco Soon

A dispatch from Paris quotes the St. Petersburg correspondent of the Echo de Paris as reporting that a second Russian auxiliary cruiser, the Korea, may be expected to reach San Francisco shortly.

The general staff at St. Petersburg feels confident that the United States will allow both the Lena and the Korea to obtain sufficient coal supplies to take them to Vladivostok.

The vessels are intended, the correspondent presumes, to stop the shipment of contraband of war to the Japanese from American Pacific ports.

Coming on Breakwater

San Francisco, Sept. 15.—Steamer Breakwater sailed today for Coos Bay with the following passengers: Miss Maude Brown, Mrs. Brown, J B Tower, J J Edwards, John Emy, Lynn Arnold, Mrs O N Martin, A E Davidson, Mrs F Rennie, Miss Turpen, Julian Lay, Miss M Stidham, J A Kline, E A Campbell, Mrs M S Brown, Guy L Lattin and wife, C F Goodard O D Minor, Mr Murphy and wife, J H Bridges, L Bomelanda, S A Son.

The Social Whirl

A farewell and birthday party combined will be held at the residence of J. T. Collier on Catching slough in honor of their son Clarence, who will start Tuesday for Philomath College which he will attend this winter. After a social party and supper the party will go to W. A. Collier's and finish the pleasures of the evening by dancing.

The monthly business meeting of the Epworth League was held in the League room Wednesday evening.

Among the important business disposed of was the arrangement of the members to participate in the unique program to be rendered at the Swedish Hall on the evening of Friday the 23rd inst. Reports showed the Epworth League in good condition, having growth in all departments. After the business was disposed of, the members adjourned to Miss Myrtle Abbott's home for a social evening. The conversation was a lively one. The "Natural Curiosity" created much merriment. Mrs. McPherson gave a brief sketch of Ralph Connor, the author of "Black Rock", "Sky Pilot" and other books. Mrs. H. D. Savage pleasantly entertained by reading a story entitled "Why the Minister Resigned."

After this Mrs. McPherson requested Mrs. Savage to stand beside her husband under the archway that the Epworthians might have a fair look at this newly married couple. Then with a few humorous allusions Mrs. McPherson presented them with a fine tablecloth and napkins.

As a means of redeeming their forfeits, the Misses Merchant, Schiltrede and Larsen delighted their friends by piano selections, and Miss Penneck by a recitation. Delicious refreshments were served, and the whole affair was a charming social occasion.

R-I-P-A-N-S Tabules

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Board, per week \$4 00
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