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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

THE ASSOCIATED PRESS, et al.,	)	Case No. 1:12-cv-00255-EJL
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
C.L. (BUTCH) OTTER, et al.,	)	AFFIDAVIT OF BETSY RUSSELL
	)	
Defendants.	)	

STATE OF IDAHO)
: ss.
County of Ada)

BETSY RUSSELL, being first duly sworn on her oath, deposes and says:

1. That your affiant is over the age of eighteen years, competent to testify in court, and make this and makes the statements herein of my own personal knowledge and belief.

2. Your affiant is the President of the Idaho Press Club, Inc., one of the plaintiffs in the above-entitled matter.

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3. Your affiant personally reviewed the Idaho State Archives which is located at the Idaho History Center, 2205 Old Penitentiary Road in Boise, and is open to the public year-round. The Idaho State Archives provides public access and archival management for the State of Idaho's 123,000 cubic feet of public records, as well as photographs, manuscripts, maps, books, periodicals, state documents, and oral history interviews.

4. The attached articles copies of the originals which are housed at the Idaho State Archives:

James A. Ellington - Hanged	05-28-1896
Ed, Rice Dies on Scaffold	12-01-1901
Connors Meets Death Bravely	12-17-1904
Bond Pays the Death Penalty for Murder of Charles Daly	08-11-1906
To Be Hanged By Neck Until Dead	05-07-1909 (Seward-invite)
Murderer Seward Goes to His Death Without a Tremor	05-08-1909
Jurko is Hanged at State Prison	07-09-1926

5. That your affiant personally viewed the following links which contains the comments and statements made by Bob Fick in relation to the 1994 death by lethal injection of Keith Eugene Wells: "Media Witness to an Execution," 11/15/2011 interview of Bob Fick by Samantha Wright, Boise State Public Radio: http://boisestatepublicradio.org/post/ media-witness-execution and "Idaho Holds First Execution in 36 Years," By Bob Fick, Associated Press Writer, Jan. 6, 1994, Google News/The Prescott Courier: http://news.google.com/newspapers?nid=886&dat= 19940106&id=PrtSAAAAIBAJ&sjid= pH0DAAAAIBAJ&pg=5208,805363.

6. That your affiant personally viewed the following link which contains the comments of Rebecca Boone of the *Associated Press*; Nate Green, *Idaho Press Tribune*; Mac King, KIVI-TV;

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and Ruth Brown, *Idaho Falls Post-Register* in relation to the execution of Paul Ezra Rhoades on 11/18/2011: http://www.ktvb.com/home/Paul-Ezra-Rhoades-execution-134051813.html.

DATED on this 4th day of June, 2012.

Betsy Russell

Betsy Russell

SUBSCRIBED AND SWORN to before me on this 4th day of June, 2012.

(SEAL) ANNETTE CHAMBERS NOTARY PUBLIC STATE OF IDAHO

Annette Chambers
Notary Public for Idaho
Residing at: Boise
My commission expires on:
March 8, 2018

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JAMES A. ELLINGTON HANGED

The Murderer of Charles Briggs Pays the Penalty for His Dreadful Crime— His Neck Broken by the Fall—Trap Sprung at 9:21:30.

Deputy Fulton Adjusts the Rope About the Neck of the Doomed Man and Sheriff Moseley Touches His Foot to the Fatal Trigger.

HE FACES HIS FATE WITH UNEXPECTED COURAGE

The Black Cap Flies Off in the Drop, Presenting a Horrible Scene to the Spectators.

MANNER IN WHICH HE PASSED HIS LAST HOURS ON EARTH

Hearty Breakfast Eaten at 7 O'clock After a Good Night's Sleep—Last Sacrament Administered by Bishop Glorieux—Earnest Prayers Offered Up by the Prisoner and His Spiritual Adviser.

For the commission of an awful crime, James A. Ellington, the murderer of Charles Briggs, yesterday paid the penalty with his life. In the little building that stands in the corner of the court house yard he was hanged, the execution taking place shortly after 9 o'clock in the morning in the presence of a small crowd of spectators.

Ellington was swung into eternity with the vision of the crucifix before him and with the abiding faith that he was stepping from the scaffold into Paradise.

The trap was sprung at 9:21:30 and Ellington was pronounced dead in 9 minutes. His neck was broken by the fall.

With one exception the execution was a success, if such a term may be applied. There was not a hitch in the arrangements. Sheriff Moseley and his brother officers went about their terrible duties deliberately and coolly and the condemned man was kept in that awful suspense but a very few seconds.

HIS LAST HOURS.

Ellington slept well Tuesday night. In fact, he stated when he arose yesterday morning he had not passed a more peaceful night for some time. He laid down shortly after 11 o'clock and slept soundly until 3. He again laid down in a few minutes and was wrapped in peaceful and undisturbed slumber until 5, when he got up. He seemed to be greatly refreshed and his demeanor was one of remarkable serenity.

At 7 o'clock he was given his breakfast. He ate heartily. The officers noticed he had a good appetite and remarked he had not eaten so much at any one time in weeks. His breakfast consisted in the main of an egg, some toast, sausage, potatoes and three cups of coffee.

At 7:30 Deputy Sheriff Fulton entered the cell, and, amid the tomb-like surroundings, read the death warrant, to which Ellington made no response.

The officer had scarcely concluded the reading when Bishop Glorieux and two sisters arrived to administer the sacrament to the condemned man. The impressive ceremony was gone through with, flickering candles, which stood on either side of the crucifix, giving the cell a peculiarly weird apperance. Ellington knelt at his chair and offered passionate supplications to his creator, and, with tears streaming from his eyes, consigned his soul to Him who rules the universe. The bishop and the sisters also offered fervent prayers for the soul of the man who was so soon to be ushered into eternity.

After the sacrament had been administered Ellington's attorneys, Frank Martin and J. R. Wester, entered the cell, followed shortly afterward by Rev. D. M. McReynolds, Ellington's former spiritual adviser, and Mrs. John Warn, Mrs. Moore and Mrs. Tooles, from the W. C. T. U. The entire party bowed their heads in prayer, after which Barber Parke went in and shaved Ellington.

The condemned man seated himself in a chair and was conversing in low tones to first one and then another of those present when The Statesman reporter entered. Ellington greeted the reporter with a firm hand shake, and when asked how he felt replied that he was all right.

"Have you any statement to make to the public before you die?" asked the reporter.

"No, I do not think I have anything to say," he replied hoarsely. "I will make no statement on the scaffold; but I have written a statement which I will hand to some one out there," motioning his head in the direction of the gallows, "and I hope the press will print it. With this statement will be a letter, which I wish you would also publish. That is all I ask; I have made my peace with God and man, and I am ready to go."

The scene in the narrow cell will not soon be forgotten by those who were there. At one end sat Ellington. His head was bowed, and his frame frequently shook with emotion. At his side sat Rev. McReynolds, who whispered words of hope into the condemned man's ear. Next to the reverend gentleman sat Attorneys Martin and Wester. In the opposite end of the cell,

JAMES A. ELLINGTON

one in each corner, crouched two sisters, lisping prayers for the man who was soon to die, and in chairs along the side sat Bishop Glorieux and the women from the W. C. T. U., with their heads bowed in silent supplications to the Master.

In the lobby just outside the cell surged a crowd of men who had been given permission to witness the execution. Among them were several physicans, who were frequently advised of Ellington's actions. At one time he seemed to be breaking down as he sat in his chair, and the physicians advised a stimulant which was given.

MARCH TO THE GALLOWS.

At 9:15 Sheriff Mossley requested those in the lobby to move into the house of execution. By this time a large crowd had gathered around the court house yard, many coming inside. Ropes had been stretched around the little house in the corner and a squad of special officers kept the crowd back. Deputy Sheriff Kelly stood at the door of the house of death and admitted those who had permits.

At 9:17:30 Deputy Sheriff Hugh Fulton stepped to Ellington's cell and threw the iron door back.

"Come on, Jim," he said quietly.

Ellington staggered to his feet and moved towards the door. Deputy Fulton took his right arm and Bishop Glorieux his left. As they merged from the jail door into the sunshine with Ellington the condemned man seemed to take a comprehensive glance at the surroundings. He saw the budding beauty of springtime on all sides. He cast his eyes swiftly heavenward and then his head sank on his breast and a groan of anguish escaped him.

"Brace up, Jim," said Deputy Fulton softly.

The condemned man with the bishop and the deputy on either side of him led the way to the scaffold, while those in the crowd in and around the jail yard craned their necks to catch a glimpse of the doomed prisoner. Behind Ellington marched Deputies Ralston and Smith, while the reporters brought up the rear.

Once again on the way to the place of execution Ellington's head dropped and he groaned audibly several times. The bishop told him to hold up his head like a man, and this seemed to brace him up. Throwing his head back he looked squarely at the assembled crowd and then walked firmly into the house and up the steps onto the scaffold.

ON THE GALLOWS.

On the gallows, in addition to Ellington, stood Bishop Glorieux, Sheriff Moseley, Attorney Frank Martin, Rev. Guy Phelps, Rev. D. M. McReynolds and Deputy Sheriffs Fulton, Smith and Ralston.

Ellington was placed on the trap and Sheriff Moseley asked him if he had anything to say.

"No," replied Ellington, his voice quivering, "not a word."

Ellington then turned to Mr. Martin and shook hands with him, at the same time handing him the two written statements referred to. He next shook hands with Rev. McReynolds, and the latter with Mr. Martin stepped down from the scaffold and left the building. Turning around he shook hands with Rev. Phelps, Sheriff Moseley and the deputies When he grasped the hand of Deputy Ralston, who had been one of his death watchers, he said, "Be a good boy, George."

Turning to the crowd while the straps were being bound around his legs and while his arms were being pinioned, he said, "Good bye, gentlemen farewell to all. I hope I'll meet you all up there. I thought I did right when I killed him. I had to fight for my life then, and I am not afraid to forfeit it now."

After delivering himself of these words Ellington seemed to be giving away. He started to sink, when Bishop Glorieux stepped to his side and handed him the crucifix which Ellington kissed passionately. This was repeated several times, and each time it had the effect of bracing the poor wretch up.

Deputy Fulton placed the rope around Ellington's neck and pulled it as tight as possible without strangling the man.

"Make everything safe, boys," said Ellington. "Make no mistake of it. Don't have it to do over again."

A HORRIFYING SIGHT.

At this juncture Deputy Fulton placed the black cap over Ellington's head, but he did not tie it. Sheriff Moseley was at the lever which connected with the bolts under the trap. The adjusting of the cap was the signal, and, at exactly 9:21:30, just three and a half minutes after Ellington had stepped upon the scaffold, Sheriff Moseley released the trap.

At the instant the sheriff touched the lever, Ellington cried out in anguish, "Oh, my God." The next instant he shot through the trap, his body falling seven feet.

The sensational feature of the execution, if it may be said any one part of it was more sensational than it was as a whole, was witnessed as the body came through the trap. The black cap had not been fastened and as the body started to drop the air forced it off, and Ellington passed like a flash almost the entire distance of the fall with his face uncovered. The spectacle was horrifying and an involuntary shudder ran through the crowd.

When the rope tightened its death grip around Ellington's throat it seemed his head would be severed from his body. His eyes started from their sockets, and a portion of the tongue was forced through the teeth, notwithstanding the rope set the jaws like a vice.

As soon as the body dropped the physicians stepped forward and grasped the pulse of the dangling piece of humanity. At 9:30:30, or just 9 minutes after the trap was sprung, Ellington was pronounced dead.

Ellington's neck was broken by the fall, and there were no convulsions of the body. Three times before the physicians pronounced him dead the body seemed to be in a state of convulsion, but the physicians stated it was merely muscular contraction.

The body was cut down at 9:36, having been allowed to hang 14½ minutes. A coffin, which had been secreted under the stairway leading to the scaffold was dragged out, and the body was placed in it and taken to the Glover undertaking parlors, where it will lie until 10 o'clock this morning, at which time the funeral will be held. The body will be interred in the Catholic cemetery. A brief service will be held at the undertaking parlors.

SOME OF THOSE PRESENT.

Among those who witnessed the execution, in addition to the officials, were the following: Dr. Sweet, Dr. Perrault, Dr. Haley, Dr. Collister, Dr. Bettis, Dr. Fairchild, Dr. Ustick, Dr. January, W. B. George, of the Boise Mail; Frank Steunenberg, of the Caldwell Record; William Ploghoff, of the Boise Sentinel, Guy Flenner, of The Statesman; Lieutenant Governor Bierbower, James Smith, Ainslie Wickersham, E. J. Frawley, L. H. Cox, Richard Johnson, Rev. Guy Phelps, Bishop Glorieux, J. W. Robinson, George Steen, John Ridenbaugh, George Glover, William Gess, J. J. Blake and William McReynolds.

There was a large crowd on the outside, and they distinctly heard Ellington drop. There were a number of women in the crowd.

HIS LAST LETTERS.

Communications Handed to Attorney Frank Martin at the Scaffold.

Ellington left a letter to be sent to his father, William Ellington, and another to his niece, Mattie Smith both of whom live in Barnesville, Ga. Of the two communications handed to Attorney Martin one is addressed to his friends in general here and the other to Judge Richards. The letters are more in the nature of political documents than anything else. The general communication is as follows:

My dear friends—I address this to you with the hope of explaining why I stand in this terrible position today. As I am now about to face my maker, who knows all, a lie or unjust accusation would be against me, and a lie to you now will not help my cause nor benefit me in any way.

By my death the honor and reputation of a physician are maintained,

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J. A. ELLINGTON HANGED

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whereas my acqnittal or even conviction of a lesser crime would show that his testimony was false, which it was for be swore falsely as to the conrse of the bullet and I thank God that he knows that I never committed the act as this physician swore it was done. Another thing, if Mr. Briggs had had competent medical attendance he wonld have recovered, bnt how could he expect any medical aid from a doctor who conld not trace the course of a bullet in a human body. So, in this matter, it has been my life against his honor and reputation, and being a poor man, without a dollar, it is easy to see how he won and I lost.

A word here in regard to my attorneys. They have worked hard since my trial to secure a commutation for me, having left no stone nnturned in their efforts, for which I sincerely thank them.

I have heard a man high in the execution of the law say that he would spend every dollar he had and borrow more if necessary to hang me regardless of the evidence as they wanted to make an example of me and it would be an easy matter, as I had neither money nor friends to protect me. This man had no interest in my case outside of a spite and a desire to make a record so as to advance himself in office. He is going to run for office and asks your support this fall so as to continue work against poor men, so vote for him in the hope that he will become your next sheriff, I heard this with my own ear while in my cell, which adjoins and opens to the sheriff's office. This statement should be sufficient to check all voting by honest men for one who is supposed to deal kindly and justly with the unfortunate.

I will say I do not fear death, for I have suffered worse than death over and over again during the last year, but it is hard for me to die without justice. I am in favor of upholding the law at any cost, but when facts are such that the law, to the extent of the sentence imposed, has not been violated but to a lesser degree, then justice demands that the sentence be lowered to the real transgression. I feel that I have not had justice for the reason that statements made to me by Mrs. Briggs as to the plot of Messrs. Briggs and Abbot to put me out of the way and those sworn to by Chief Robbins and wife, together with the affidavit produced by my lawyer, Frank Martin, and the protests of the ministry of this place, also by 10 of the jury who tried me would have been sufficient to call from the board of pardons a commutation of my sentence to that of imprisonment to life had they not determined to make an example of me knowing that I was poor, friendless and alone in this world, therefore helpless.

But I shall appeal my case, from the scaffold, to a higher court where gold and office wield no power, and where malice and covetness are unknown.

Sincerely thanking you, my kind friends who have interested yourselves in my behalf, I bid you a last farewell and hope we may meet in that golden home where sorrow and trouble are unknown, I remain,

Your brother in Christ
JAMES A. ELLINGTON.

LETTER TO JUDGE RICHARDS.

The communication addressed to Judge Richards is a copy of a letter mailed to him by Ellington last Monday. Ellington said before he was led to the scaffold he had received no reply to it. The letter is as follows:

To the Honorable Judge Richards—Sir: I have sent for you asking that you grant me a personal interview, but as you refuse to grant it, it leaves me only this means of communicating with you.

Do you remember sitting in this cell and stating to me "Ellington I never did believe that you were guilty of a wilful murder. I think the law would be better subserved and society better satisfied if your sentence was commuted and I will go before the pardoning board and tell them so," also stating at the same time that you thought it would stultify you to sign a petition, but you thought this would be better for me than signing a petition, among many other things in this line, these statements being made in the presence and hearing of Mr. Kelly the jailer, and my counsel, you stating "I make this statement here in the presence of your counsel that he may take any advantage of it he thinks proper" afterwards stating the above in substance to other parties, among them Mrs. and Miss Neil Murphy and O. Robbins, chief of police.

Instead of complying with these promises the governor stated on the hearing of my case that you had seen him but that you said you had no doubt that I was guilty of a cold blooded and wilful murder and that you would make no recommendation for the commutation of my sentence. So, in place of fulfilling the promises you made me and which I took to be on the honor of a gentleman whose word should be as good as his oath, you have failed to fulfill them but have broken them, yes, even went to the exact extreme. You not only refused to recommend me but you used your position and influence against me in order to secure my death, for you knew my life lay in your hands and by fulfilling your promises to me you could have saved my life, and by your own words justice demanded that you should do so, for I am not guilty of wilful murder.

My life still lays in your hands and you can still fulfill your promise, as justice demands it, for the law was not violated to the extent of calling for my life.

I am given to understand that my case has been brought to bear on parties seeking office at the coming election, and, as those asking my execution promise their influnce and support, which they threaten to use against any one aiding me, it has become a matter of personal gain to those asking office and I am sorry to see men high in the Republican party who stoop so low as to use the life of one of their fellow men both in party and spirit to gain their ends. I have always took a pride in upholding the Republican party and little thought I would see the day that my life would be forfeited in order that some one might secure office or the nomination for office.

Judge there is still time to redeem your promises to me and set this matter right, and I respectfully ask you do so or otherwise let me know the reason you have adopted the course you have and not the one your promises would have led you to follow. Let me know what has transpired since those promises were given that has caused you to adopt the course so at variance with them. Judge, I respectfully ask that you give this communication consideration, coming as it does from a man standing under the gallows and has hopes that promises made him will be fulfilled. Hoping to have an answer shortly and praying it may be favorable, I remain,

Yours respectfully,
JAMES A. ELLINGTON.

ANOTHER STATEMENT.

Ellington gave Rev. D. M. McReynolds the following written statement:

"The night the shooting occurred I had no more thought of meeting Briggs than I do now. I had that pistol with me because I had no where else to keep it. I frequently left it at the saloon for safe keeping. My deposition makes me say one thing which is not true. Briggs did not strike me nor strike at me before I shot, but he had the knife drawn to strike. I still say and feel that I was justified in doing what I did, and if in any way I sinned at that time, God has forgiven me."

STORY OF THE CRIME.

Cruel Murder of Charles Briggs in This City on Dec 20, 1894.

The crime which Ellington expiated on the gallows yesterday was the cruel murder of Charles Briggs, aged 56, in this city on the 20th of December, 1894. Briggs brought Ellington here from California. The two men were engaged in the roof painting business. They had a quarrel over money matters and Briggs forced Ellington to leave his premises. On the evening of December 20th the men met on Thirteenth street. According to the ante-mortem statement of Briggs Ellington passed him and then wheeled and shot him in the back. Briggs turned and the two men grappled. Another shot was fired which grazed Briggs' head. While the men were struggling another shot was fired, the bullet passing through Briggs' hand. Briggs' statement was corroborated by persons who rushed from their houses and witnessed the struggle, and Dr. Collister swore Briggs had been shot in the back.

Ellington saw an officer running toward the scene and, grabbing Briggs' watch from his pocket, he started on the run for the foothills.

Ellington was captured at Emmett on December 22nd. While the officer was on the road to Boise with him he asked him why he had shot Briggs.

"I just wanted to shoot him down to my size," replied Ellington with a leer.

Briggs died on the 25th and Ellington was arraigned on the charge of murder on the 29th. The trial began on Feb. 4, 1895. Ellington claimed in defense that Briggs had frequently threatened to kill him, and that when he met him on Thirteenth street and asked him for the money he (Briggs) owed him, Briggs whipped out a knife and attacked him with it. Ellington claimed he was forced to shoot in self defense.

On February 10th the jury returned a verdict of murder in the first degree and on March 30th following Ellington was sentenced by Judge Richards to be hanged on May 17, 1895. The case was appealed to the supreme court and on Dec. 12, 1895, a decision was rendered affirming the death sentence. On April 6, 1896, Judge Richards' sentenced Ellington to hang on May 27, 1896.

Ellington could not have had a fairer trial. His attorneys admit this, for no evidence they presented was ruled out. They merely claim public sentiment was so strong against Ellington that the jury was unwittingly influenced.

On last Wednesday Ellington's application for a commutation to life imprisonment was heard by the board of pardons and denied.

Brief Biographical Sketch.

Tuesday Ellington gave a Statesman reporter a brief ketch of his life. He was born near Barnsville, Ga., on March 7, 1853, where his surviving parent, his father, William Ellington, still lives. The father is about 65 years old. Ellington left home in 1873 and his life up until the time he was jailed here on the charge of murder was a roving one. He wandered through the central states according to his own statement as a tramp. He finally landed in Los Angeles where he met Briggs and entered into a partnership with him in the roof painting business. Ellington said he lived in San Luis Obisbo for three years, working all the time, for, he said, he had become tired of tramping. He came to Boise with Briggs in November, 1894.

ED. RICE DIES ON SCAFFOLD

Walked Unflinchingly from Cell to Gallows and Up the Steps.

SPOKE NOT A WORD OF HIS DASTARDLY CRIME

With Ashen Lips and Pallid Cheeks, but With Stoical Fortitude Condemned Man Met His Fate— Received Spiritual Comfort from Catholic Priest—Bade Officials Good Bye.

"I have that about me which will protect me; I am afraid of no harm. I don't think you are doing right to put me out of the world. There is lots of time." These in import were the last words of Edward Rice, as he stood upon the trap of the scaffold yesterday morning. Then Father Van Der Velden, the Catholic priest, extended the crucifix to the condemned man's lips, and with the kiss upon the image of the Savior, the black cap was pulled down over Ed. Rice's head. Warden Arney asked the four guards on the scaffold "Are you ready?" and receiving an affirmative answer gave the order "Proceed!" The trap was sprung and the prisoner dropped five feet, five inches, the rope drawing taut; there was a spasmodic upraising of the left hand, pinioned though the arms were, a twitching of the fingers, a heaving of the breast, and then a physician with hand on pulse slowly counted the seconds that would record that Ed. Rice had paid the penalty of his crime, that his soul sin-stained and hardened, yet withal, immortal and perhaps repentant, at least not to be judged by earthly judges, had been summoned before its Maker.

The body swung not to the right nor left, the rope made not a single twist, but facing the sun in the eastern sky, like one standing erect, all that was mortal of Ed. Rice was there before his fellows, while the tide of life fast ebbed away. The neck was broken by the fall.

With the announcement by the physicians that life was extinct, the guards took down the body, placed it in a coffin and carried it to one of the small houses on the grounds. The crowd of officials, of physicians and those attracted by duty or curiosity slowly dispersed.

PRELIMINARY INCIDENTS.

At 7:30 o'clock yesterday morning there was activity at the penitentiary. A number of buggies and carriages were arriving and there was a sudbued air that bespoke something unusual. Warden Arney and his deputy Tom Martin received the priest, physicians, reporters, officials and others who had been expected and a few minutes before 8 o'clock, Mr. Arney stated that only those present in a religious, official or reportorial capacity could enter the cell, on account of its size, to hear the death warrant read. Father Van Der Velden donned his priestly robes and the cell was entered. There sat Edward Rice, the condemned murderer. His lips were ashy white, his cheeks were deathly pale, with that pallor that comes of intense tension of the mind and nerves. He was neatly dressed in a new cutaway suit of black, with standing collar and a bright blue necktie over the white shirt, the brightness of the tie adding a saffron hue to the face.

DEATH WARRANT READ.

To his left stood the guard on duty as a death-watch, and as Warden Arney read in clear, distinct tones the death warrant, the prisoner coughed, the sticks in his throat, he no doubt felt no irritation, but is simply to hide intense emotion and his hand time and again reached the neck as though the collar were tight and uncomfortable, or was it because the acute mental strain forced conjecture that the rope of death was already there? After a whispered word, the priest began his prayers, beseeching the mercy of God for him who stood within the shadow of death. Rice's eyes, downward cast, with quivering lids, glanced furtively at one and another of those before him. When asked, by the reverend father, if he had anything to say to his priest, he replied, "I have much to talk about, but there is lots of time, father." "Oh, no, there is no time," said the priest, "the death warrant has been read." There was a moment of silence and Warden Arney and Deputy Martin started on the march to the scaffold. Immediately behind them came Father Van Der Venden and, the prisoner, the latter stoically erect, with firm, even tread. The spectators followed. Out from the prison house into the clear, cool, bracing air came the little party, moving slowly as befitted the solemn occasion. When the scaffold was reached, Warden Arney, Deputy Martin, the priest, prisoner and attendant guards mounted in single file.

GALLOWS WERE INCLOSED.

The gallows had been inclosed by sheets of white muslin, to cut off any view from outside and within this inclosure, the spectators huddled. Rice took his place to the right of the trap, the priest renewed his prayers, and at the conclusion, Warden Arney stepped forward and bade the condemned man "Good-bye." It was to this that Rice replied, "Good-bye, Mr. Arney, there is no hurry; there is lots of time," and then as quoted at the beginning. The prisoner, of his own accord, took the two steps that placed him over the trap, a guard took off the collar, leaving the bright blue tie; the arms were pinioned at the elbows, the legs at the knees, the black cap drawn over the face—the rest of the story has been told.

PRISON RECORD.

From the prison record it is gleaned that Rice, outside of his attempted suicide, has given the officials no trouble. He was first received at the penitentiary November 11, 1900, and was then 43 years of age, five feet seven inches in stature and his weight which he practically held to the last was 194 pounds. He was under sentence of death to be executed December 31, 1900, but an appeal to the supreme court acted as a stay of judgment, and after the supreme court confirmed the action of the lower court, he was retaken to Wallace and resentenced, being brought to the penitentiary the second time October 14, 1901, under death sentence set for execution November 20, 1901.

The interment took place at the prison cemetery at 12 o'clock noon, eight guards acting as ball-bearers and Father Van Der Velden conducting the ceremonies.

THOSE PRESENT.

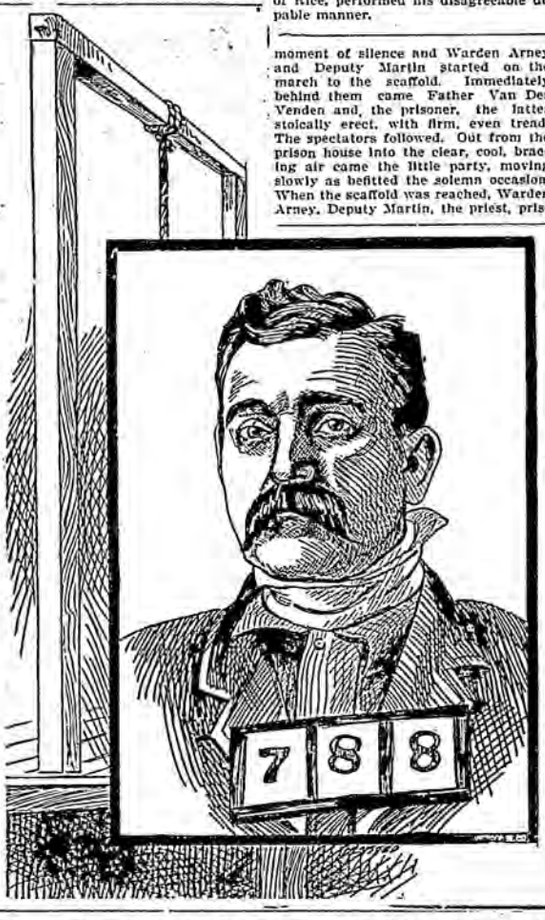
Among those present were the following: Attorney Pence, who represented County Attorney Frawley; Councilman Dunton, J. G. Jones, Rev. I. F. Roach, A. C. Daut, Father G. M. Van der Velden, Dr. Dubois, Dr. Collister, Dr. Blitz, Dr. Springer, C. C. Anderson, D. L. Badley and son, M. R. Tone, A. Bernard, Julius Myers, G. S. Ellinger, H. M. Cook, H. H. Quarles, John Maupin, Sheriff Daly, George Wheeler of the Capital News, Fred Floed of the Statesman and Guy Flenner of The Evening Bulletin.

HISTORY OF CRIME.

In Wallace, Ida., lived Matt Mailley, an industrious old man who conducted a cigar store, and Ed. Rice, a sort of roust-about. Mailley lived in the little cigar store he owned and on the morning of October 1, 1900, was found dead in his place of business with his head crushed in and his throat cut. The premises had been robbed of several hundred dollars. There was a handkerchief over the face of the corpse. By the laundry mark upon it, it was identified as belonging to Rice, and a barkeeper recalled that Rice the evening of the murder came into a saloon and took several drinks of whisky. The barkeeper called Rice's attention to fresh blood upon his pants. Rice made some excuse and quickly went to a store and bought a new pair of pants. The old pair were afterwards found where he had hidden them behind the wainscoting in his room. Then Rice in a few days spent several hundred dollars. These facts led to his arrest and quick conviction.

CHARLES E. ARNEY.

Warden of the Idaho state penitentiary, who had charge of the execution of Rice, performed his disagreeable duties in a humane, considerate and capable manner.



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CONNORS MEETS DEATH BRAVELY

RETAINS HIS NERVE TO THE END AND DECLINES TO MAKE A STATEMENT.

Murderer of Deputy Sheriff Sweet of Blackfoot Displays Remarkable Coolness on the Gallows—Execution Conducted in Perfect Manner by Warden Ackley.

There was nothing spectacular or dramatic about the execution of James Connors which occurred in the penitentiary yard at 15 minutes after 6 o'clock Friday morning. Warden Ackley's arrangements were perfect in every detail and less than 20 minutes elapsed between the time Connors left his cell for the gallows and the moment the coffin lid was fastened over his inanimate remains. Connors himself was, to all outward appearance, the least concerned man about the scaffold. It might have been a stage rehearsal judging from the lack of nervousness or emotion on his part. He submitted without remonstrance to every request of the prison officials and walked up the scaffold steps on tiptoe in front of the guards. On reaching the gallows he took his position in the center of the drop, drew his heels together, elevated his chin and stiffened his arms by his sides ready for the straps.

"Have you anything to say, any message for your father or mother?" inquired Father Fuchs, who accompanied the condemned man to the gallows.

"No, sir, I have nothing to say," responded Connors in clear and unwavering tones.

The black cap was dropped over Connors' head and an instant later the trap was sprung and the neck of Deputy Sheriff Sweet's murderer was broken. Ten minutes later Dr. Van Note pronounced Connors dead. The body was taken down, placed in a coffin and buried at once.

Betrayed No Emotion.

Connors slept well on Thursday night. When aroused on Friday morning he dressed himself and lighted his pipe. He declined to eat breakfast and refused an offer of liquor.

"I was a pretty good fellow when I was sober," he said to one of the guards. "Whisky brought me where I am and I don't want any more of it."

With springy step Connors walked from his cell to the gallows with a guard on either side of him. He informed the warden there was no need of handcuffs and behaved as docile as a lamb.

Quite a number of citizens saw the execution and all spoke in complimentary terms of the manner in which it was conducted by Warden Ackley. There was no confusion or delay. The condemned man was shown every consideration and all legal and disciplinary requirements were complied with.

Deputy Sheriff W. W. Kinney of Blackfoot, who arrested Connors after the murder of Sweet, witnessed the execution. Mr. Kinney states that Connors' true name was Charles Lennon. This information was received from a sister of the murderer who lives in Butte. Connors, it is said, was raised in Massachusetts where his parents still reside.

ALL ABOUT THE WEATHER

Daily weather report furnished by the local office of the United States weather bureau.

Local forecast for Boise and vicinity: Saturday, partly cloudy weather; warmer.

Forecast for southwestern Idaho, made at Portland: Saturday, increasing cloudiness followed by rain or snow. High southwest, veering to southeast winds.

Yesterday's weather here:
Maximum temperature, 42.
Minimum temperature, 27.
Mean temperature, 34.
Deficiency for the day, 0.
Deficiency for the month, 22.
Excess for the year, 841.
Precipitation, .0.
Deficiency for the day, .06.
Deficiency for the month, .44.
Deficiency for the year, .60.
Mean humidity, 62.

Minimum temperature at other points yesterday morning: Portland, 34; Spokane, 34; Pocatello, 14; Salt Lake, 22; St. Louis, 24; Chicago, 16; Washington, 22; Boston, 20; New Orleans, 36.

"Did Jimsy inherit anything from the old millionaire he toadied to for so many years?"

"Nothing but an oil painting of the old man."

"What did he do with it?"

"Put it into the hands of a mechanical expert. He thinks maybe there's a secret drawer with a fortune in it."—Detroit Free Press.

"James," said the parent, "I heard that boy next door swearing this morning. I hope you don't play with him." "No, ma'am," replied the hopeful; "not any more. He's taught me all he knew."—Life.

"Good Bargain
That
when one trades Coffee and all the old Coffee Ails for health on delicious
Postum
10 DAYS' TRIAL PROVES.

SENATOR'S CONDITION.

The condition of Senator George L. Shoup is if anything less favorable. During the day he seemed to rally but towards evening his vitality appeared to offer less resistance. He is still unconscious and the members of his family are no more sanguine than they were regarding his condition.

The friends of the stricken man are receiving telegrams from all parts of the country inquiring as to his state of health and expressing their sympathy.

In the city Senator Shoup's illness is the chief topic of conversation and universal regret is expressed regarding his affliction.

News- FROM IDAHO TOWNS

FOOTBALL GAME AT WEISER

University Team Will Play Weiser Eleven Next Thursday.

WEISER, Dec. 16.—The Idaho university football team will arrive here next Thursday to play a game with a team of this city. The Weiser boys are practicing and propose to give the university team a run for their money.

Rev. Theodore Hanson, an evangelist from Wisconsin, will begin a revival meeting at the Baptist church Monday, December 19, and will continue until January 1. Rev. Hanson is said to be a brilliant and forceful speaker.

The Baker City high school basket ball team arrived this afternoon to play a game with the high school team of this city at the opera house this evening.

Miss Ida Phelps, one of the Weiser school teachers, is ill today, and Miss Esther Harris is teacher in her place.

Long Valley News.

VAN WYCK, Dec. 11.—Married, at the home of her parents, Mr. and Mrs. Howick, on Brush creek, Miss Ollie Howick to John Conyers, Rev. E. E. Auxier officiating. * * * Sam Hall has gone to Boise on business. * * * Miss Myrtle Carter is teaching school at Beaver Meadows. * * * Clarence Moler has gone to Emmett to attend winter school. * * * Frank Noland, who had his foot crushed by a hay frame, has gone to Boise for medical treatment. * * * J. J. Smith and daughter, Sara, have gone to Boise to visit with the family of John Heffner. * * * The storm that visited the valley on the 10th compelled the stockmen to feed. * * * Frank Wootin, while stopping at W. B. Miller's place at Ola, was robbed of his load, valued at $75. Mr. Wootin, Miller and Beach tracked the team 12 miles up the valley to the school house, where the stolen goods were found. The team that hauled the stolen goods belonged to B. F. Shepard.

DR. STEEVES HAS LEASED RESIDENCE

Lieutenant Governor-elect Will Occupy Suite in Collister Block During Session of Legislature.

Dr. L. B. Steeves of Weiser, lieutenant governor-elect of Idaho, is in the city, testing the legislative ropes and preparing for the session. Dr. Steeves has the advantage of a large acquaintance in Boise and he will have little difficulty in accommodating himself to the presidential chair in the senate.

Dr. Steeves has engaged a suite in the Collister block for the legislative session.

In speaking of conditions at Weiser Dr. Steeves said the completion of the bridge over the Snake river meant a great deal to that city. It would, he said, practically double the area tributary to Weiser and result in inestimable benefit to the thriving capital of Washington county. Although Dr. Steeves was not asked his opinion on the subject, his friends in Washington county generally regard Weiser as one of the coming cities of Idaho. From his conversation it may be judged that the lieutenant governor-elect is also of this opinion though he is averse to publication of any description by reason of his professional ethics.

Dr. Steeves has a host of influential friends in Boise and he and Mrs. Steeves have many social engagements already listed.

ANNOUNCEMENTS

Minnehaha council No. 1, Degree of Pocahontas, which has been meeting in the Eagles' hall, will hold its sessions in the future in the Odd Fellows' hall on Eighth street. At the meeting this evening at 7:30 o'clock, all members are desired to be present, as there is business of importance to be considered.

The December social meeting of the Columbian club will not take place this afternoon out of respect to the memory of Mrs. A. L. Richardson, who has held the offices of vice president and treasurer at different times and has been through successive administrations a trusted and beloved counsellor. This is the first vacancy by death in the board of directors since the organization of the club.

The Stenographer—Is that new lunch room in the basement any different from the others around here?

The Janitor's Assistant—Betcher it is. They're presentin' each customer with a pepsin tablet.—Puck.

J. T. Evans, the new jeweler, will give each customer buying $5.00 worth or more before Jan. 1 a nice Christmas present of an oil painting 16x20 inches. If entitled to a picture, ask for it. Get the habit of coming here. It pays. 105 South Tenth street, Merino block.

Large assortment of Christmas trees, holly, mistletoe, wreaths and roping. Idaho Commission company, corner of Eighth and Grove.

IDAHO MILITIA IN GOOD SHAPE

ADJUTANT GENERAL VICKERS SUBMITS ANNUAL REPORT ON NATIONAL GUARD.

Points Out That Appropriation Is Too Small, Being Only Trifle Over $1 per Man—Suggestions as to Possible Changes in the Law Which He Thinks Would Improve the Service.

The excellent condition of the Idaho militia is shown in the biennial report of Adjutant General Vickers, which is now in Governor Morrison's hands. Many valuable suggestions are made by General Vickers, whose report also contains several recommendations worthy of careful attention.

"It is a pleasure to state," says the general, "that the equipments with the companies, and on hand, are complete in every particular, there remaining nothing that the government of the United States allows a company or regiment lacking, and all new and in the best order."

General Vickers calls attention to the fact that Idaho's appropriation for militia expenses amounts to a little over $1 per man per annum. Compared with that of other states the appropriation of Idaho appears ridiculously small. Oregon's appropriation is equal to about $45 per annum per man. Delaware, with a total of 332 enlisted men, appropriates $13,000, while Idaho's appropriation for 659 enlisted men is $1000. General Vickers recommends an increase. He also recommends the appointment of an assistant adjutant general who should be chief clerk with a salary sufficient to induce the proper man to accept the position.

The adjutant general also points out the necessity for a state armory, as the present structure is ridiculously inadequate. An increase in the allowance of $100 a year for counties in which militia companies are organized is also recommended.

General Vickers invites attention to the splendid showing made by the Idaho regiment at the American Lake encampment, quoting the statements of Generals McArthur and Funston that the Idaho guardsmen were the best equipped and best tented on the field, not even excepting the regulars. The exemplary conduct of the men is also mentioned in complimentary terms.

General Vickers will recommend an appropriation for the publication of a history of the Idaho militia in the Philippines.

In conclusion General Vickers says: "The present organization must be reorganized and increased by adding more companies and, perhaps, another battalion; a signal corps must be formed; a gatling gun or mountain howitzer battery added, with arrangements to convert the troops into a mounted infantry command; officers must be examined before their commissions are given to them; no company to be mustered into service until the officers chosen by them have successfully passed the prescribed educational and technical examinations.

"There is no better material in the world than we have here in Idaho. The men are accustomed to riding; are familiar with the magazine rifle, and know how to do their own cooking—advantages not possessed by their comrades of the east.

"They have already shown their quality, and when opportunity offers will be found worthy successors of those who so signally distinguished themselves on many a bloody field in the Philippines."

Public Notice.

The Sunnyside Extension Mining & Milling company owns eight mining claims on the west side of Marble creek, adjoining the south line of the claims of the Belle of Thunder Mountain, and extending 4800 feet in a southerly direction; namely, the Isabella, Dauntless, Geyser, Greenback, Horseshoe, Happy Jack, Lone Star and Morning Glory.

The public are hereby notified not to buy said claims, as we understand crooked work is going on.

By order of the directors.

W. LEAGUE, President.
W. G. LEMAY, Secretary.

Notice.

On presentation at my office I will pay the following Ada county warrants: Current expense, 1904, warrants up to and including No. 70; road fund, 1904, warrants up to and including No. 16; bridge fund, 1904, warrants up to and including No. 187.

SAMUEL S. HORNER, Treasurer.

Notice of Sheriff's Sale.

Under and by virtue of an execution issued out of the probate court of the county of Ada, state of Idaho, in the suit of Cleek & Ownby against Jesse K. Dubois, duly attested the 16th day of December, 1904, and to the sheriff of Ada county directed, and to me as such sheriff delivered for execution, I have levied upon all the following described personal property belonging to the judgment debtor named in said writ, to-wit:

One 5-horse power double cylinder Master Workman gasoline engine.

Notice is hereby given, that on the 24th day of December, 1904, at 2 o'clock p. m. of said day, at the courthouse in Boise City, county of Ada, state of Idaho, I will sell all the said above described personal property belonging to the said judgment debtor, to satisfy said judgment and all costs, at public auction, to the highest and best bidder for cash in lawful money of the United States.

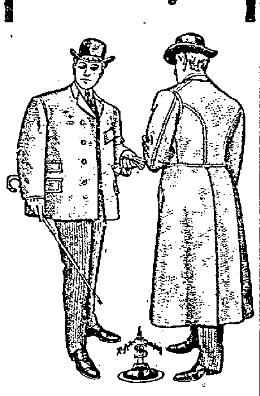
Given under my hand this 17th day of December, 1904.

J. D. AGNEW, JR., Sheriff Ada County, Idaho.

GRAND OPENING TODAY

Of our Holiday lines. Greatest aggregation of useful and ornamental

Gifts for Man or Boy



All doubts as to what to buy settled by a look at our lines.

Smoking Jackets
House Coats
Lounging Robes
Bath Robes
Mufflers
Handkerchiefs
Gloves
Fancy Vests
Shirts
Pajamas
Night Robes
Umbrellas
Suit Cases
Hand Grips
Neck Wear
Hats—all Shapes and Grades
Fancy Hosiery

Our lines of Boys' Suits and Overcoats are the best ever shown by us.

THE GREAT SANTA CLAUS HEADQUARTERS

ALEXANDER
ONE PRICE CLOTHIER
7TH AND MAIN

LEATHER GOODS

Have you seen our line of swell

Card Cases, Cigar and Cigarette Cases, Bill Books Etc.?

We have them in fine seal and alligator skin and fine Russian leather. Let us show you our new jewelry cases we are showing in fine velvet, only $2.50 each. They are very useful as well as very ornamental for your dresser

Blain & Plenkner
Jewelers
920 MAIN ST. IDANHA ANNEX

Correct Clothes for Men

You must not neglect your dress neither, but take care to be *bien mis.*
—*Lord Chesterfield to his son.*

The French way of saying well-groomed. You'll certainly be if you wear clothes bearing this label

Alfred Benjamin & Co
MAKERS NEW YORK

¶ Equal to fine custom-made in all but price. ¶ The makers' guarantee, and ours, with every garment. ¶ We are Exclusive Agents in this city.

M. ALEXANDER
One Price Clothier
Boise Weiser

Real Estate Specials

$1000—Buys three very desirable residence lots on Warm Springs avenue. Located just right; very cheap.

$1800—Will buy a neat and comfortable four room cottage, with nice porches and cellar, two desirable corner lots 100x122 feet, good barn, splendid well of water, substantial fence and other improvements, including trees and lawn, favorably located on Hays street, reasonable terms. The property is cheap at $2500. Let us show you this bargain.

$600—A substantial four room house and two corner lots, other improvements. This is a snap for snap hunters.

$2750—Buys a neat, new and modern five room brick cottage, nice cellar, a nice lawn and a very neat place; lot 50x122 feet, located just right on Washington street. If you are on the buy at all it will pay you to look this up.

$40,000—Will buy one of the best business corners in Boise; 100x122 feet. Income property and located where it will constantly become more central and more valuable, surely a safe and profitable investment.

$1100—Neat and new three room house, city water and many conveniences; lot 50x122 feet, close in; worth $1500.

$1500—One of the nicest residence lots in Boise, 50x122 feet; cement sidewalk and curb, sewer, trees and best of locations.

$2500—For a good eight room brick residence and a neat three room brick house, located on a very desirable corner, close in on Franklin street. This property will rent for 12 per cent interest on $3000, and is worth $3500. For a safe and profitable investment you will not find any better opportunity in Boise. Take a look at this.

$12,000—Buys one of the nicest residences in Boise.

WE HAVE THE BARGAINS.

W. E. PIERCE & CO
The Old Reliable Real Estate Dealers.

Lorgnettes Xmas Presents

For anyone with impaired, distant vision, also for the Presbyopic age, i. e., past 40. I carry them in stock and can fit the proper lenses in for each case.

We carry in stock ARTIFICIAL REFORM EYES, the only stock in Boise or southern Idaho.

DR. GEO. E. WHITLOCK
Opthalmologist 920 Main street

Hesse & Sturges
Time Inspectors Oregon Short Line

Our recent auction served its purpose well and made a general clean-up of our stock, so that we now go into the holiday season with a large and fine stock of

BRAND NEW AND SNAPPY JEWELRY

We have bought more and better goods than ever before and in order to make brisk sales have marked them at prices that make them doubly attractive. We are satisfied to do an exclusively jewelry business and do not attempt to sell chinaware and other department store lines. Make your Christmas gift selections now and you will show commendable wisdom.

If You Buy a Round Oak

you will never get soaked. One of the many advantages of the genuine Round Oak stove is its ability to burn any kind of fuel, hard or soft coal, with or without magazine, coke or wood. It burns all of them equally well and all its life it will hold the fire all night, all day too if you wish. It warms the floor, too, under and around the stove, because the base is small and the grate hangs low, near the floor. See the name on the leg. We also have many bargains in other makes of heating stoves and ranges that we have reduced the price on. If you contemplate purchasing a stove, get prices at the Big Hardware Store, corner Ninth and Main.

Fletcher-Eastman-Teller
COMPANY

Schreiber & Brennan
Funeral Directors
LICENSED EMBALMERS
516 Main Both phones 130
Lady Assistant Masonic Bldg.

Denver Dental Parlors
723½ Main St.
ABSOLUTELY
Painless Extractions. The latest Anaesthetic.

C. R. Hudgel, M. D., Opt. D., refraction specialist, Boise Optical Co. Examination Free. 909 Main.

CIGARS FOR CHRISTMAS
THE KIND HE SMOKES

The Choicest Domestic, Key West or Imported Cigars packed in Attractive Christmas Boxes

12 in a box at $1.00 and $1.50
25 in a box at 1.50, 2, 2.50, 3.25 and $5.00
50 in a box at $2,00, $2.50, $3.50, $5.00, $7.50, $8 & $12.

We know the Cigars that will please him and you get the benefit of this knowledge and run no risk of a mistake in selection.

JOY'S PHARMACY

Klipper Klub Skates

Are like Jewel Stoves and Ranges, the best of their kind, made of the best material, by the best workmen and are guaranteed to be the best that money can buy.

Loree & Son
HARDWARE CO.
909 Main Street. Both 'Phones, No. 66.

Keeley Cure
For Drunkenness, Opium, Morphine and other Drug Using, the Tobacco Habit and Neurasthenia.
THE KEELEY INSTITUTE, DWIGHT, ILL.
Correspondence Strictly Confidential.

Combined Pack and Riding Saddle
The best pack saddle made, and a good riding saddle as any. Trimmed any style. Send for descriptive folder.
INTERMOUNTAIN SADDLE COMPANY, BOISE, IDAHO.

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BOND PAYS THE DEATH PENALTY FOR MURDER OF CHARLES DALY

Bravely Faces Death and Confesses His Guilt on the Scaffold.

HIS LAST WORDS A PRAYER FOR MERCY

IS HANGED AT EARLY HOUR AT PENITENTIARY, BEFORE 23 SPECTATORS.

Culprit Ate Hearty Breakfast and Spent Nearly an Hour With Spiritual Adviser Before the Execution—Approached and Mounted Gallows With Firm Steps—No Sign of Weakening—Trap Sprung at 6:11 O'clock and Man Pronounced Dead at 6:17 O'clock—Jennie Daly Kept in Ignorance of the Execution.

At 6:11 o'clock yesterday morning Warden Whitney at the state penitentiary sprung the trap which sent William Henry Hicks Bond into eternity. At 6:17 o'clock, six minutes later, Prison Physician Dr. Collister pronounced the man dead. The body was cut down from the rope to which it hung, placed in the waiting coffin and was at once buried in the waiting grave in the penitentiary cemetery.

Thus did William Henry Hicks Bond, locally known as Fred Bond, pay at last the death penalty for one of the most heinous crimes ever recorded in the criminal history of Idaho.

The execution went off with the precision and regularity of clock work.

WILLIAM HENRY HICKS BOND.

There was not a single hitch. Everything had been made ready. The warden and his assistant guards fully understood their duties and performed their arduous tasks with military precision.

At 6 o'clock Warden Whitney, accompanied by Guards Rich and Ackley, Prison Physician Collister and Adjutant Hawke of the Salvation Army, went to Bond's cell. The door was opened and Bond was requested to stand and listen to the reading of the death sentence. The doomed man rose to his feet and stood untremblingly and silent, his eyes fixed upon the face of the warden while the fateful words of the death decree were read by Warden Whitney.

As he finished the reading the warden extended his hand, which Bond grasped heartily, and said:

"Good bye, Fred."

"Good bye, warden," responded the culprit, "I want to thank you for the way you have treated me here. Good bye, boys, all of you," he continued, glancing at the faces of those in the cell house corridor.

"Are you ready, Fred?" asked Mr. Whitney.

"Yes, I am ready," was the reply.

"Good bye, old man," said a convict in another cell and Bond responded with a quiet "good bye," as he moved away.

Bond needed no help as he walked toward the scaffold. He showed not one trace of emotion nor of nervousness. His face was not even pale. His shoulders were thrown back, his chin was raised and his eyes were calm and lustrous as he walked with firm steps toward his doom between Guards Rich and Ackley.

Twenty-three visitors were gathered about the scaffold as Bond thus approached. As the prisoner came around the corner of the cell house and within view of the spectators he glanced curiously over the crowd. There were ashen faces in that crowd, but the face of Bond was emotionless. He appeared by far the coolest man in the penitentiary yard.

As he approached the scaffold he glanced up at it casually, then approached the steps and walked unfaltteringly up and onto the trap. Here he hesitated for a moment until the warden instructed him which way to face and he obeyed instantly.

Bond stood in the center of the trap, the rope, already noosed, just above him, the two guards just behind him and the wardens in front and near the bolt which must be pressed to release the trap. By the warden's side stood Adjutant Hawke, Bond's spiritual adviser.

There was just one instant of suspense during which Bond, apparently entirely at ease, gazed over the upturned faces before him as if looking through the crowd for one he knew.

"Do you want to make any statement, Fred?" asked the warden.

Bond signified that he had several things he wished to say and the warden gave him permission to proceed.

Turning his attention again to the spectators, Bond, in a clear, unwavering voice, announced:

"You may think I am not brave. I am. I will show you that I can go through the trap bravely. I am guilty of a whole lot, but not of all. I trust in God."

Bond turned inquiringly toward the warden as if to signify that he had said all he wished to say. At a motion from Mr. Whitney the two guards stepped forward and strapped Bond's arms to his sides and buckled a strap about his ankles. Then the noose was placed about his neck. Bond, realizing that all was ready except the black cap, turned again toward the spectators and said:

"Well, God bless you all. May the Lord have mercy on my soul."

The black cap was then placed upon his head and the adjutant offered a brief prayer. As the warden placed his foot upon the bolt to spring the trap Bond's agonizing voice was heard: "God! God, have mercy on my soul! Oh, God, hear my prayer! God, hear my dying words!"

With his foot the warden sprang the trap. Dr. Collister, holding his watch in one hand, grasped Bond's right wrist as soon as the body fell through the trap. At 6:17, six minutes after the trap was sprung, the physician took his finger from the pulse and announced that life was extinct. The body was immediately cut down, the straps removed and the corpse placed in the waiting coffin. The black cap was not removed, Bond being buried with it still in place.

The Spectators.

Aside from the penitentiary officials those who watched the execution were L. B. Green, county attorney of Elmore county; Sheriff J. H. Ross of Elmore county; Sheriff G. T. Marshall of Oneida county; C. F. Koelsch, county attorney of Ada county; Deputy Sheriffs Payne of Canyon, Siggins and Lane of Ada; Drs. Collister, Maxey, Stewart and Lewis of Boise; Coroner Schrieber; F. S. Wattach; F. B. Kinyon; Police Officers Bostwick, Lockerby, Nutting and Abrams; Press Representatives Harvey Short, M. D. Polk, Jake Horn and H. L. Crane.

Bond's Last Hours.

During Bond's last hours he spent much time reading the Bible, which was loaned to him by Adjutant Hawke. The adjutant took great pains in selecting and marking passages that would be of especial benefit to the man and it was evident that Bond, fully resigned to his fate, was searching diligently for the truth and endeavoring to make his peace with his Creator. Adjutant Hawke was with him much of the time and before he died Bond with tears in his eyes proclaimed that he trusted fully in God.

It is believed that Bond made a full confession to the adjutant, but if he did the adjutant regarded the confession as a sacred admission. When asked yesterday by one of the spectators at the hanging if Bond had made a confession the adjutant non-committently replied:

"Bond made a confession upon the scaffold."

At supper the night before the execution Bond is reported as saying to Rudolph Wetter, before Wetter had received word of his reprieve:

"Better eat a big supper, Bob. This is the last supper we get."

"I don't know about that," replied Wetter. "I am still hoping."

"Well, I know I'll swing in the morning," said Bond, "and I'm going to eat a hearty supper. You know what the Bible says: 'Eat, drink and be merry, for tomorrow we die.'"

Bond did eat a hearty supper. He read his Bible in his cell to a late hour and slept soundly from about 1 o'clock yesterday morning. He ate a specially ordered breakfast, consisting of ham and fried eggs, sliced tomatoes, toast, potatoes, pie and coffee. He seemed to greatly enjoy the breakfast and talked cheerfully during the meal.

Shortly before the execution Bond told the adjutant that he was 35 years of age and was born in Cornwall. He has but two near relatives in the United States, the two brothers who live in Butte and who furnished the money to defend him during his long trial.

LAST WORDS OF WILLIAM HENRY HICKS BOND

After Bond had been conducted to the scaffold Warden Whitney said:

"Do you want to make any statement, Fred?"

"There are one or two things I would like to say," was the reply.

"You have that privilege now," said the warden. Bond turned toward the crowd and in a clear, even voice, said:

"You may think I am not brave. I am. I will show you that I can go through the trap bravely. I am guilty of a whole lot, but not of all. I trust in God."

As he finished the guards stepped forward and securely strapped his ankles and his arms to his sides and then placing the noose over his neck drew it snugly with the knot under the left ear. All was now ready but the placing of the black cap. One of the guards picked up the cap and was about to place it over the doomed man's head when Bond turned his head slightly looking over the spectators and said:

"Well, God bless you all. May the Lord have mercy upon my soul!"

The black cap was then quickly placed over Bond's head and at a nod from the warden Adjutant Hawke bowed his head and faintly prayed: "God bless this man. Have mercy upon him. Amen!"

As the warden placed his foot upon the bolt for the purpose of springing the trap, Bond's muffled voice agonizing in its entreaty, was heard:

"God! God have mercy on my soul! Oh, God, hear my prayer! God, hear my dying words!"

The warden paused momentarily with his foot upon the bolt as Bond's beseeching, agonizing voice was heard. Then as Bond ceased praying he put his weight upon the trap. Bond's body dropped the five feet to the end of the rope and his soul was in eternity.

Why does the sun burn? Why does a mosquito sting? Why do we feel unhappy in the good old summer time? Answers: we don't. We use DeWitt's Witch Hazel Salve and these little ills don't bother us. Learn to look for the name on the box to get the genuine. Sold by all druggists.

Tomorrow's excursion train to Nampa leaves at 1 in the afternoon; returning, leaves Nampa at 6:10 o'clock. Tickets for round trip are 80 cents.

Compare our prices with others. We give H. & H. green stamps on cash purchases and 30-day accounts. Capitol grocery, State and Eighth streets.

Rummage Sale of Pianos and Organs Friday and Saturday at Columbia Theatre building.

Dr. Bancroft can duplicate any broken lens or frames. 210 Overland bldg.

Rummage Sale.

Pianos and organs at the M. A. Swift Piano Parlors, Columbia theatre, Friday and Saturday.

Con W. Hesse, Jewelry.

Any talking machine made on easy payments. Sampson Music Co.

CRIME FOR WHICH BOND WAS HANGED.

William Henry Hicks Bond was convicted in the district court of Ada county on the charge of murdering Charles Daly on the 6th day of October, 1904, by shooting him in his home in Boise. Jennie Daly, wife of the murdered man, was also charged with murder and was convicted of the charge of manslaughter for which she is now serving time in the penitentiary. During Bond's trial she appeared as a witness for the state, and it was largely through her testimony that Bond was convicted.

The murder was committed at the Daly residence, 414 North Third street. Daly came home from his work late in the evening and found Bond and his wife in the parlor. He offered to take his wife to the theatre the following night. She told him she didn't care to go, that she took no pleasure in his company. According to the testimony the following conversation ensued:

"Jennie, do you love Fred?"

"I do."

"Freddie, do you hear that?"

"Yes."

"Then it's all over between me and my wife."

When Daly arrived home, Mrs. Daly and Bond, according to the woman, had been interrupted in talking over plans for putting Daly out of the way. After Daly had declared that it was all over between himself and his wife, he declared he would leave home. He sat down and was in the act of putting on his shoes when Bond shot him.

The man and woman, believing that Daly was dead, talked over the story they would tell of the crime. About three hours after the shooting, Daly showed signs of returning consciousness. Then, according to the testimony of Mrs. Daly, Bond seized a hatchet and struck the victim several blows on the head, and later shot him twice more through the heart.

BIG MASONIC TURNOUT AT EMMETT CEREMONY

MANY LODGEMEN ATTEND LAYING OF CORNER STONE.

Cost of New Methodist Church Will Amount to About $12,000—Built of Brick and Stone and Will Seat 500.

A big Masonic turnout marked the corner stone laying of the Methodist church at Emmett on Thursday. Many Masons from Boise, Nampa and Caldwell traveled to Emmett to attend the ceremonies in the erection of the new church.

After Grand Master J. W. Robinson of the Idaho lodge had conducted his part of the affair, the stone was laid, and an address made by ex-Governor Morrison. The late afternoon and evening was given over to banqueting, the ladies of the church entertaining the visiting Masonic grand officers.

The church, upon which the building operations will be rushed to completion, will be one of the finest places of worship in this section. The cost will reach $12,000, and the materials brick and stone, with a seating capacity of 500. It is intended eventually to add a Sunday school room. It will be built on modernized Gothic lines, and will be a handsome edifice. Wayland & Fennell of Boise did the architectural work. Kinney & Gilbride are the contracting masons.

Rev. Dean is conducting a very successful campaign for the raising of sufficient funds to clear it of debt.

New Chinese Restaurant.

Shang Hai-Lai Hong Chong Chop Suey and Noodles Restaurant, just started. Everything new and well cooked and clean. Come, look and see. SHANG HAI, Proprietor. 217 Seventh street and Front. Bell phone 216-B.

Largest Package. Best of all. Humpty Dumpty.

BRIEF LOCAL NEWS

BUSINESS OFFICE.

Bell 147
Independent 430

NEWS DEPARTMENT.

Bell 75
Independent (2 rings).....430

WEATHER REPORT.

Local forecast for Boise and vicinity: Saturday fair weather and probably not so warm. Forecast for southwestern Idaho, made at Portland: Saturday probably thundershowers, cooler. Yesterday's weather here: Maximum temperature, 102; minimum temperature, 64; mean temperature, 83; excess for the day, 7; deficiency for the month, 1; deficiency for the year, 142; total precipitation for the 24 hours ending at 6 p. m., none; deficiency for the month, .01; excess for the year, 1.24; mean humidity, 27; mean sensible temperature, 60. Maximum temperature at other points, Thursday: Portland, 82; Spokane, 90; Pocatello, 94; Salt Lake City, 92; St. Louis, 86; Chicago, 88; Washington, 78; Boston, 78, New Orleans, 90. EDWARD L. WELLS, Section director U. S. Weather Bureau.

SUCCESSFUL SOCIAL—There was a large crowd present last evening at the social given by Capital Rebekah lodge No. 47 on the Central school grounds.

WOULD HANDLE MONEY—B. H. McGrew has announced his candidacy for nomination on the Republican county ticket for county treasurer for Ada county.

WORK ON FOUNDATION—Good progress is being made on the foundation for the new addition to St. Luke's hospital. It is now almost in readiness for work on the superstructure to begin.

NOT A HORSE THIEF—Len Hart, accused by John Lemn of the theft of a horse, was dismissed by Justice of the Peace Savidge on motion of the prosecuting attorney. The theft was alleged to have been committed June 25.

VACATIONS—Albert Peterson, chief clerk in the state land office, and Otto Peterson, chief deputy county clerk and recorder, brothers, left yesterday for Seattle to spend their summer's vacation. They will be absent about two weeks.

TO VISIT HIS SON—W. H. Roberts arrived yesterday from Osage, Iowa. He is here to visit his son, the senior member of Roberts & Hill, the Boise real estate firm. Mr. Roberts, Sr., leaves today for the hills to join his son in camp.

TO PREPARE MAPS—Lieutenant Holcomb returned yesterday from his two weeks' leave at Walla Walla. He left on the evening train for the northern part of the state of Washington, where he will assist in preparing some government maps.

OIL PAINTING—Charles Ostner, who carved the George Washington monument which adorns the state house grounds, has made another unique donation to the state archives. This is a framed life-sized oil painting of the late martyred ex-Governor Frank Steunenberg. The painting is in the office of Governor Gooding.

MEETING LAND BOARD—At a meeting of the state land board yesterday about 50 final proofs of entry on the Twin Falls tract were approved. An order was made to draw a warrant in payment of bonds purchased in the sum of $2900 from Ada county's school district No. 6. The bonds were issued to raise money to build a new school house.

ON RECRUITING DUTY—Captain C. B. Drake of Troop L, Fourteenth cavalry, has received word that he will be ordered to New York, probably to Fort Sloan, on recruiting duty. He will leave some time the first of the week. His absence will place Lieutenant McKenney in command at the barracks until the return of Colonel O'Connor or Captain Crosby, who are now on inspection duty at Seattle.

ATTENDANCE AT SUMMER SCHOOL RERCHES 110

Large Number of Teachers to Go to Barber Dam at 9 O'clock This Morning.

The attendance at the joint institute and summer school has reached 110 and the fourth week closes with the pupils doing splendid work. The department of primary methods under Miss Adsit has proven a great drawing card and her classes are gaining a wonderful insight into this most important line of work.

This morning at 9 o'clock over 100 of the students will leave on the train for the Barber dam, where they will spend the morning inspecting the big plant.

W. E. PIERCE & CO., SUE TO COLLECT ODD FELLOWS' NOTE

Through Attorney E. J. Frawley, W. E. Pierce & Co. has started a suit against the State lodge, No. 77, Independent Order of Odd Fellows for the collection of a promissory note for $1000, dated November 5, 1903, payable in six months with interest at 8 per cent payable semi-annually. Interest in the sum of $40 has been paid. Plaintiff wants judgment for the note and interest and $250 attorney's fee. The note is signed by J. T. Pence, H. T. Barbour and E. L. Cahalen, as trustees.

WITH HOSPITAL PATIENTS

Mrs. J. B. Pratt is at St. Alphonsus hospital for treatment.

Mrs. Timothy Donovan of Nampa is ill at St. Alphonsus hospital.

Mrs. Wilkerson of Baker City underwent an operation at St. Alphonsus hospital yesterday.

Mrs. Patterson is at St. Alphonsus hospital for medical treatment.

Excursion.

On August 15, 1906, for train No. 5, leaving Boise at 1:05 p. m., the O. S. L. and the O. R. & N. will run a popular rate excursion to the Sea Shore, north of Astoria, the fare from Boise being $14.15 for the round trip. Tickets will be limited to 10 days from date of sale. For further information call on ticket agent at O. S. L. depot.

For Sheriff.

Subject to the action of the Republican convention of Ada county, I wish to announce myself as candidate for sheriff. A. B. EWING.

The Pullman Bar.

Like a Pullman car, four doors from depot, Nampa. Sandwiches. Rainier.

Exchanging $10 U. S. Gold

Coin for $20.00 of the same standard in currency is no fairer or better exchange than is receiving Alfred Benjamin and High Art strictly hand tailored

$25.00 SUITS AT **12.50** | $20.00 SUITS AT **10.00**

In either event you receive the long and best end of the transaction

Our sale of $11.50, $13.75, $15.00 and $17.50 Men's Suits at

5.75 AND 7.50

is a still further demonstration of the power of money at this time coupled with our determination not to move any of this spring or last fall's goods to our new store.

The Heavy and Light Weights are All on the Same Basis--Two for One.

Ordinary Shirts in ordinary times sell at 50c and 75c apiece—at this stage of the season these and better ones we are selling at

Three for a Dollar

and the entire stock of Men's and Boys' wear at the same ratio.

ALEXANDER

ONE PRICE CLOTHIER — SEVENTH & MAIN STS

Mixed Fruit Sherbet

We are sure that very few people in Boise have ever tasted a mixed fruit sherbet—it's something new. But that's the way with our specialist, he wants to give you something different and you can feel assured that it is always delicious. It's made from the fresh fruit and made at the store—two points worth considering.

Mixed Fruit Sherbet Special Today, 10c

Joy's Pharmacy

LAMB CHOPS

from our shop have a reputation for goodness known to all lovers of a good breakfast. They can always be relied upon for being deliciously fresh, tender and toothsome, as meat purchased at our market is the very best that can be had. As poor or inferior meat is not only undesirable, but dangerous, as an article of food, consider your personal interest and buy of

Idaho Dressed Beef Co.

WHY GO

FROM PLACE TO PLACE TO HAVE YOUR CLEANING AND DYEING WORK ATTENDED TO. THERE IS NO NEED OF IT. YOU WILL SAVE TIME AND MONEY BY ALLOWING US TO HANDLE SUCH MATTERS FOR YOU.

WE SPONGE AND PRESS SUITS BY THE MONTH AT THE

THE PANTORIUM

MORRIS & MORRIS.
Ind. Phone 590. Bell Phone 781-F.
116 North Seventh Street.

Looking for a Bargain?

SEE THE CLASSIFIED COLUMNS OF

The STATESMAN

Case 1:12-cv-00255-EJL Document 15-5 Filed 06/04/12 Page 1 of 1

TO BE HANGED BY NECK UNTIL DEAD

Today Fred Seward, Latah County Murderer, Will Pay Penalty for Crime.

ALL DETAILS FOR EXECUTION COMPLETE

Condemned Man Says He Is Ready to Go and the Sooner It Is Over the Better—Places His Faith in Religion and Expresses Himself as Confident of His Forgiveness—Execution Sixth on Present Prison Scaffold.

EXECUTIONS OF PAST

THE execution of Fred Seward this morning will be the sixth on the same scaffold, and the fourth within the walls of the state prison. Previous to 1901 hanging were conducted in the counties where the crimes were committed and the present penitentiary gallows were previously used in Ada and Boise counties. Executions have taken place on it as follows:

Herman C. St. Clair, at Idaho City, June 24, 1898.

James A. Ellington, in court yard Boise, 1896.

Ed Rice, November 30, 1903, at penitentiary under administration of C. E. Arney, as warden.

James Conner, December 16, 1904, at penitentiary; Daniel Ackley, warden.

Fred Bond, August 10, 1906, at penitentiary; E. L. Whitney, warden.

Hour by hour, suffering the greatest agony in the fear of death, Fred Seward, slayer of Clara O'Neill, a notorious woman of Moscow of whom he had been enamored, awaits the coming of the hangman at 8 o'clock this morning that he may pay the penalty for his crime.

"I am ready to go," he stated yesterday, "and the sooner it is over the better. I have faith in the hereafter and am satisfied of my forgiveness. The awfulness of the execution of the sentence will be worse for my aged father, mother, sisters and brothers than for me."

Pacing his cell during the daylight hours and lying restlessly awake at night, the prisoner has gradually weakened and his features clearly show the effects of a great strain, an outward indication of the suffering he has endured since the final action of the pardon board.

Warden Snook has steadfastly refused to let curious people talk to Seward, and his only visitors have been Rev. Chalfant, his spiritual advisor, or persons on similar missions who Seward expressed a willingness to see. He has seemingly been braced up by his religion and after these occasions did not seem so downcast, talking of the hereafter and of his salvation as a certainty, rather than of dread of the noose.

Trap Tested by Warden.

Everything is in readiness for the execution and a test was made yesterday of the trap, as a precaution to avoid accident today when Warden Snook, in carrying out the mandate of the law, shall send Seward to his death. A sack of sand weighing several hundred pounds has been hanging at the end of the noose to prevent the rope from giving with the weight of the body.

Admission to the prison grounds will be by invitation only, the number being limited to less than 100. These have been distributed by Warden Snook to officials, newspaper men, physicians, attorneys and the spiritual advisor.

Seward killed Clara O'Neill in October, 1908, and was convicted at a jury trial held in December following. It was classed as one of the most brutal deeds in the criminology of the state, and his own testimony told of the awfulness of it. Holding the woman with his left arm he fired the shot with the right which caused her death.

The defense was self defense, counsel endeavoring to show that the woman tried to cut Seward's throat with a pen knife.

Tried to Kill Himself.

Immediately following the murder Seward attempted suicide by firing a bullet into his head with the same weapon. This destroyed the sight of his left eye and disfigured his face, marks he will carry to his death.

The date of execution was set for February 17. Governor Brady granted a reprieve until the pardon board should act upon a petition for commutation of sentence. Attorney B. S. Crow appeared on behalf of Seward and the greater part of the day was devoted to the consideration of the case. Although there were a number of points in the condemned man's favor the weight of testimony against him was so strong that all the members agreed that the judgment should not be interfered with.

Under the law Seward must die before noon and Warden Snook has decided that at 8 o'clock, the earliest possible hour, the penalty shall be exacted.

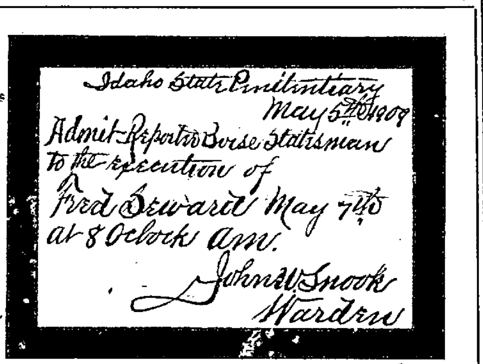
Strike at Buenos Ayres.

BUENOS AYRES, May 6.—Buenos Ayres is still in the grip of the strike inaugurated early as a protest of the action of the authorities in firing on a crowd of demonstrators on May day. Business is bad. The customs receipts show a great falling off as the result of the stoppage of commerce and various navigation companies are holding their ships in port as it is impossible to load or discharge cargoes.

King Sees the Show.

PARIS, May 6.—King Edward, who is at present in this city, incognito, eluded the reporters last night and attended a music hall performance. The "turns" were of the usual Parisian variety.

Warden Snook Issues Cards for Execution of Murderer Seward Today


Idaho State Penitentiary
May 5th 1909
Admit Reporter Boise Statesman
to the execution of
Fred Seward May 7th
at 8 Oclock am.
John W Snook
Warden

Fac Simile of Permit to View Hanging Received at The Statesman Office Yesterday.

BOISE NOT IN IT ON TRACK

LOCALS DO NOT QUALIFY IN TRI-STATE TRACK MEET.

Spokane, Lewiston and La Grande Will Probably Carry Away the Honors.

(Special Dispatch.)

SPOKANE, May 6.—A Spokesman Review special from Walla Walla says:

With men qualified in all events but the pole vault, Spokane's chances to win the Whitman college tri-state track meet, preliminaries for which were run today, are excellent. Walla Walla, Lewiston and La Grande are close contestants, with men qualified in most events.

Spokane qualified three out of eight for the mile, Dickinson winning the fastest heat in 4:46. In the half, Spokane qualified Ritter, fastest heat time 2:06 1-5. Englehorn for Spokane took the fastest in the high hurdles in 17:01 and Spokane qualified two out of six in the discuss, Dewitt making a record of 107 feet. Cooke, for Ellensburg, and Shaw, for Lewiston, made the best time, :5 3-5 in the 50 yard dash.

Coe and Monroe for Spokane got into the high jump with Monroe's record 5 feet 2 inches. Hoobler of Lewiston won fastest heat in the 440 yard dash in :55 2-5.

Englehorn made the distance in the hammer, 127 feet 11 inches. Kimball of Pendleton won the fastest heat in the low hurdles in :27 4-5. In the broad jump, Walla Walla qualified three men out of six, with Dresser making the distance of 18 feet 8½ inches and Spokane qualified two. Crapy of La Grande is the other. Englehorn made the longest distance in shotput and Spokane won the fastest heat of the relay. Chances look strong for Dresser or Englehorn to win the individual cup, while Cooke of Ellensburg and Shaw of Lewiston have made several good records and are in the same class. The day was ideal for the meet, being cool but bright.

Mangon, Watts, Blomgren, Baker, McConnel and Coach Eyre of the Boise High, left Wednesday for Walla Walla to try out for the tri-state meet. According to the above dispatch none of the local boys qualified.

NORTHWEST LEAGUE.

Vancouver 2; Portland 4.

VANCOUVER, May 6.—Score:

	R.	H.	E.
Portland	4	6	3
Vancouver	2	6	3

Batteries—Kinsella and Murray; Paddock and Stanley.

Seattle 2; Aberdeen 3.

Seattle, May 6.—Score:

	R.	H.	E.
Seattle	2	4	1
Aberdeen	3	5	2

Batteries—Anderson and Shea; Pernoll and O'Brien.

Tacoma 5; Spokane 2.

SPOKANE, May 6.—Score:

	R.	H.	E.
Tacoma	5	6	2
Spokane	2	9	3

Batteries—Claflin and Kellacky; Jenson, Deller and Stevens, Ostdieck.

GOLD HILTED SWORD FOR TAFT

Special Officers at Seattle Seize It With Other Art Objects.

NEW YORK, May 6.—A finely wrought sword with a hilt of solid gold, said to have been brought to this country as a gift for President, was one of several hundred oriental art objects seized tonight by special agents here. The articles were found in the possession of two Russians. The men admitted of having brought them ashore, but insisted that they did not know the law.

The sword, they said, was intended as a present to the president from "many Russian friends" and was to have been presented by an official of the Russian embassy.

MILL AT GENESEE BURNED

Big Flouring Plant There Entirely Destroyed.

(Special Dispatch.)

GENESEE, May 6.—One of the worst fires in the history of Genesee occurred this morning in the burning of the flouring mill belonging to C. E. Wood & Co.

The plant was valued at $20,000 and was the finest in northern Idaho. It had an average monthly payroll of $1000. The mill contained all modern machinery and was operated by electricity. Besides the loss of the milling plant there were 3000 barrels of flour in the warehouse adjoining, 200 tons of barley and 700 bushels of wheat. The total loss from the fire will be near $45,000, fully insured.

PUT IN TWO DAYLIGHT HOURS

National Association Organized at Cincinnati.

CINCINNATI, May 6.—The National Daylight association was organized here tonight to carry on agitation for "more daylight." The plan is to move the clock two hours ahead between May 1 and October 1, thus having the effect of bringing two daylight hours into the latter period of the day. A committee on publicity was appointed and efforts are to be made to interest President Taft and the railroads.

Rural Carriers.

STATESMAN BUREAU, WASHINGTON, May 6.—Warren A. Roseboom has been appointed regular and Claude B. Cole, substitute, rural carrier of Route No. 4 at Moscow.

NEW ROAD FOR MONTANA

ARTICLES FILED WITH SECRETARY OF STATE.

Runs Up Clearwater and Through Lolo Pass—J. H. Richards and C. E. Chrisman the Incorporators.

(Special Dispatch.)

HELENA, Mont., May 6.—Montana is to have a new railroad, according to articles of incorporation filed here with the secretary of state. It is to be known as the Montana, Idaho & Pacific and because of its proposed western connection it is supposed to be a Harriman property. The company has an authorized capital stock of $16,000,000 for which a filing fee of $1800 was paid by J. L. Wines of Butte, who is named as its state agent.

The road will run from Lapwai Junction, where it connects with the Oregon Railroad & Navigation company's lines, along the Clearwater, crossing into Montana by way of Lolo pass, thence through Missoula, Granite, Powell and Deer Lodge counties to Butte. It will have a total length of 350 miles.

The incorporators are J. H. Richards of Boise, C. E. Chrisman of Boise, and James J. Wilson of Portland, Ore.

MUST LISTEN TO THE GREAT MASSES

(Continued from Page One.)

Cummins who said he did not care to give way for a speech.

Not Quite Courteous.

As the senator from Utah resumed his seat, Mr. Burrows, rising in his place and speaking in low tones deliberately said he did not think the senator from Iowa "had been quite courteous" to the senator from Utah. Disavowing any intention to be discourteous, Mr. Cummins returned to the controversy, saying he was not satisfied with Mr. Smoott's objection. He wanted something less threadbare.

Replying to Mr. Scott, Mr. Cummins said that the stock of the steel corporations had gone up so high because of its unlawful profits. "Unlawful from a moral standpoint, I mean," he said. He further declared that from a moral standpoint the profits were dishonest. He said that a corporation could not produce a single ton of steel more cheaply than could its constituent company or than the so-called independent companies can.

Responding to a query by Mr. Depew, Mr. Commins said that he had not ventured to look forward "to that disastrous day in which all the industries of the United States and of the world are concentrated in a single hand or in a single board of directors."

Lamp Posts Will Remain.

When, he said, the day should dawn that a single man shall direct the energies of the earth and control the fortunes of mankind so far as manufactures are concerned, "there will still remain the lamp posts and the common people, after the law has failed in order that the country may be rid of those monopolists who coerce the whole world."

An amusing situation occurred at the close of Senator Cummins' speech when he was asked by Senator Newlands whether the faction striving for a revision of the tariff downward had formulated a plan with which the Democrats would unite. The question gave evident satisfaction to Senator Aldrich, but apparently Senator Culberson, the minority leader, was not so well pleased.

It was pointed out by Mr. Newlands that if the 20 progressive Republicans united with 31 Democrats they would have a majority of the same.

Mr. Cummins remarked that the senator from Nevada had found more progressive Republicans than he had. Responding to Mr. Newlands' question, however, Mr. Cummins asked:

"Is the senator from Nevada authorized to speak for the 31 Democrats when he propounds such an inquiry?"

Could Only Follow.

"No," said Mr. Newlands, "because the 31 Democrats are powerless to accomplish anything by taking the lead. The only way they could succeed in benefiting the country would be by following the lead of progressive Republicans. I think if the Republican faction would get together on a program for revision of the tariff downwards the Democrats would respond favorably to the proposal."

"Are you making an official statement from the Democratic party or merely a suggestion?" asked Mr. Aldrich.

Mr. Newlands replied that he spoke only for himself, whereupon Mr. Cummins declared that the speeches favoring the highest duties had come from the Democratic side so that he saw little hope of help from that quarter.

Favors Co-Operation.

"The despair of the senator from Iowa at not being able to gain support from the Democrats is not warranted by the attitude of the minority on progressive legislation placed on the statute books during the last years," said Mr. Newlands.

Continuing, he declared that the Democrats had stood with the president and in line with the position of the senator from Iowa for progressive legislation on such questions as the railroad law and that they would be with him for a downward revision of the tariff, and he again expressed hope for the co-operation of the progressiveness of the two parties.

With the expression by Mr. Aldrich that such a union of forces would be "a combination in restraint of trade" the incident closed.

MRS. EVELYN THAW TO GO TO JAIL

Order Issued for Her Arrest on Charge of Contempt of Court.

Stay of Proceedings Refused and Woman Will Be Jailed Today—Will Be Kept Confined Until She Settles Her Accounts.

NEW YORK, May 6.—Evelyn Nesbit Thaw, who gained much notoriety when her husband, Harry K. Thaw, shot and killed Stanford White, may herself soon have to go to jail. An order directing the sheriff to arrest her for contempt of court, in failing to pay a fine of $250 imposed last week, was signed in the city court late today, following an announcement that the appellate division had refused to stay the proceeding. The order will be indorsed as soon as the sheriff's office opens tomorrow and a detective will also be sent to escort Mrs. Thaw to the Ludlow street jail. The order directs that she shall be kept in close confinement until the settlement of her account. The fine was imposed upon Mrs. Thaw for her failure to appear in supplementary proceedings on a judgment of $253 obtained against her by Elsie Hartwig, a milliner.

OFFICER SHORT IN ACCOUNTS

Captain Thomas Franklin to Face a Court Martial.

EL PASO, May 6.—A special dispatch from Washington to the El Paso Morning Times says:

Captain Thomas Franklin, U. S. A., has been ordered to report to Major General Leonard Wood at Governors island, N. Y., to face a court martial on charges growing out of his administration of affairs in the quartermaster's and commissary departments at West Point from 1902 to 1908.

The nature of the charges and specifications, it is said, will make this the most important army court martial since Oberlin M. Carter was tried.

Captain Franklin was treasurer of the United States military academy at West Point from 1902-1908 and during that period some $2,000,000 in government funds passed through his hands.

The exact amount which it is alleged Captain Franklin is short is not known but it is said it would run into hundreds of thousands of dollars.

Central American Situation.

PANAMA, May 6.—The situation in Central America appears to be getting more complicated every day judging from the news that comes slowly into Panama. Travelers say Nicaragua, in spite of the vigilance of the American warships, is trying to invade Salvador by way of Honduras.

Plague in Ecuador.

GUAYAQUIL, Ecuador, May 6.—During April 77 new cases of bubonic plague were reportted in this city with 23 deaths. During the same period there were 75 new cases of yellow fever, of which 72 were fatal.

SUREST WAY.

"She is trying to keep her marriage secret."

"How do you know?"

"She told me so."

Wasted Solicitude.

"When I was a boy," said the severe parent, "I walked five miles to school every day."

"Too bad," answered the flippant youth; "with proper training you might have qualified for a Marathon race."—Washington Star.

DON'T EXPERIMENT.

YOU WILL MAKE NO MISTAKE IF YOU FOLLOW THIS ADVICE.

Never neglect your kidneys.

If you have pain in the back, urinary disorders, dizziness and nervousness, it's time to act and no time to experiment. These are all symptoms of kidney trouble, and you should seek a remedy which is known to cure the kidneys.

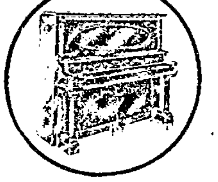
Doan's Kidney Pills is the remedy to use. No need to experiment. It has cured many stubborn cases in this vicinity.

Can Boise residents demand further proof than that contained in the following testimonial?

A. M. DeFrance, farmer, 118 South Sixth avenue, Caldwell, Idaho, says: "Doan's Kidney Pills were so beneficial in my case that I am always glad to recommend them. For 17 years I was almost helpless from Bright's disease. I took many treatments and went to different parts of the country in the hope of obtaining relief but always failed to get the desired results. At last I heard of Doan's Kidney Pills, procured a box and started their use. They gave me relief from the first and proved to be the remedy I needed. In my estimation Doan's Kidney Pills are unequaled in curing kidney troubles."

For sale by all dealers. Price 50 cents. Foster-Milburn Co., Buffalo, New York, sole agents for the United States.

Remember the name—Doan's—and take no other.



Piano Bargains

In buying a piano, price is important.

But QUALITY is still more important. Because you don't buy a piano every year. And because you have TO LIVE with that piano.

We have a superior sort of exchanged pianos, the kind you will find in other stores.

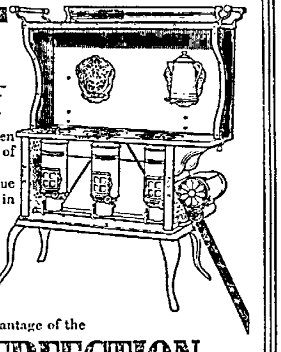
Prices are wonderfully low, quality considered.

A small down payment gives immediate possession. The balance monthly.

Eilers Piano House

Dispensers of Pianoreliability
709 Idaho Street and 917 Main Street.
Boise, Idaho.

Plan for Summer Comfort



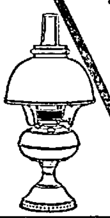
Don't add the heat of a kitchen fire to the sufficient discomfort of hot weather.

Use a New Perfection Wick Blue Flame Oil Cook-Stove and cook in comfort.

With a "New Perfection" Oil Stove the preparation of daily meals, or the big weekly "baking," is done without raising the temperature perceptibly above that of any other room in the house. Another great advantage of the

NEW PERFECTION Wick Blue Flame Oil Cook-Stove

is its handsome CABINET TOP, which gives it every convenience of the modern steel range. Has an ample top shelf for warming plates and keeping cooked food hot, drop shelves for holding small cooking utensils, and is even fitted with racks for towels. Made in three sizes, and can be had with or without Cabinet Top. If not at your dealer's address our nearest agency.



The **Rayo Lamp** gives perfect combustion whether high or low—is therefore free from disagreeable odor and cannot smoke. Safe, convenient, ornamental—the ideal light. If not at your dealer's address our nearest agency.

CONTINENTAL OIL COMPANY
(Incorporated)

OPERATION HER ONLY CHANCE

Was Cured by Lydia E. Pinkham's Vegetable Compound

Adrian, Ga.—"I suffered untold misery from a female weakness and disease, and I could not stand more than a minute at a time. My doctor said an operation was the only chance I had, and I dreaded it almost as much as death. One day I was reading how other women had been cured by Lydia E. Pinkham's Vegetable Compound, and decided to try it. Before I had taken one bottle I was better, and now I am completely cured."—LENA V. HENRY, Route No. 3, Adrian, Ga.

Why will women take chances with an operation or drag out a sickly, half-hearted existence, missing three-fourths of the joy of living, when they can find health in Lydia E. Pinkham's Vegetable Compound?

For thirty years it has been the standard remedy for female ills, and has cured thousands of women who have been troubled with such ailments as displacements, inflammation, ulceration, fibroid tumors, irregularities, periodic pains, backache, indigestion, and nervous prostration.

If you have the slightest doubt that Lydia E. Pinkham's Vegetable Compound will help you, write to Mrs. Pinkham at Lynn, Mass., for advice. Your letter will be absolutely confidential, and the advice free.

HYOMEI

(PRONOUNCED HIGH-O-ME)

the most reliable cure for

Catarrh

Hyomei will cure catarrh—thousands of grateful letters prove it—it is guaranteed by Charles L. Joy & Co. to cure catarrh, asthma, sorethroat or money back.

No stomach dosing—breathe it in and the dry antiseptic germ killing air will give instant relief and permanent cure. It gives remarkable relief in consumption. Complete outfit including inhaler $1.00; extra bottles 50 cents. Hyomei is sold by leading druggists everywhere.

We Want Your Clothes

To Clean, Press and Repair. NO MATTER HOW OLD We Can put them in condition for you if it is possible, if not we will tell you so. For the better kind of cleaning, pressing and repairing call us up.

THE PRESSARY

THE SHOP OF QUALITY.
BRICE STEWART, Prop.
907 Idaho. Both Phones.

TO-NIGHT Cascarets

THEY WORK WHILE YOU SLEEP

10c. 25c. 50c. All Druggists

How the Bank Helps

LOANS AND CREDIT

MOST men, especially if they are in business, occasionally find themselves in need of more ready cash than they ordinarily have, and the quickest and easiest way to obtain it is to get a loan at the bank.

Making loans is just as necessary to the success of a bank as receiving deposits. The largest part of the bank's profits comes from interest on loans.

The amount of credit granted is determined by the responsibility of the borrower, or the kind and sufficiency of security offered; by the value of the deposit account, and other considerations.

The question asked is not "How rich is the borrower?" but "Has he the willingness and ability to repay promptly when the time comes?"

Persons without invested capital usually put up collateral security in the form of stocks, bonds or similar forms of wealth. Not only must this security be sufficient in value, but it must be readily salable, so that its market value may be easily determined at any time.

When the borrower of this class has no such security to offer, it is necessary to obtain the indorsement of some other person of means, thus establishing a double liability for the protection of the bank.

It is no reflection on the integrity of the borrower to be asked for security. The banker handles the money of other people, remember, and is compelled to reduce the risk to a minimum. Therein lies the safety of the depositor.

The Boise City National Bank would be glad to discuss the question of credit with those who have temporary need of funds.

Boise City National Bank

Capital
$200,000.00

Pays
4%
on Savings

Idaho Trust & Savings Bank

Pays
4%
on Savings

Capital
$200,000.00

To Clean Your Kitchen Floors

You don't have to scour and scrape and polish—add a heaping tablespoonful of Gold Dust to a pail of hot water. It will make your floors milky white, and save your strength.

Gold Dust cuts grease and dirt, and asks so little aid from you that it's really a pleasure to keep your home dirtless and dainty.

It searches out dirt, germs and impurities in every crack and cranny, cleanses and purifies wherever and whatever it touches—and injures nothing.

An ounce of Gold Dust is worth a pound of elbow grease.

SELL OR TRADE

Fine homestead: 160 acres	$ 500
Fine desert claim: 160 acres	$ 400
Fine improved ranch: 80 acres	$8000
Fine improved ranch: 40 acres	$4000
Fine unimproved lands, per acre	$ 30
Fine acre tracts, per acre	$ 500
Fine five-acre tracts, per acre	$ 200
Fine business lot, Main street	$3500
Fine residence lots: $200 to	$5000
Fine five-room modern house	$2000
Fine business opportunities.	
Fine list of property, sell or trade.	

W. T. HARBERT CO.,
337 Sonna Blk. Both Phones.

Case 1:12-cv-00255-EJL Document 15-6 Filed 06/04/12 Page 1 of 1

THE IDAHO DAILY STATESMAN.

TWELVE PAGES — BOISE, IDAHO. SATURDAY MORNING, MAY 8, 1909. — PRICE FIVE CENTS.

FATHER KIDNAPS 2-YEAR OLD CHILD

Officers Scouring the Lewiston Country But Fail to Locate Him.

HAS CROSSED THE LINE AND IS IN WASHINGTON

Fred Follmer and Wife Separate and Follmer Goes to the House and Takes His Baby Daughter Away Despite the Pleadings of the Mother—No Criminal Prosecution Likely According to County Officials.

(Special Dispatch.)

LEWISTON, May 7.—Officers have been scouring the Lewiston country today in an effort to arrest Fred Follmer, who is charged with kidnaping his 2 year old daughter from her mother's home in Kamiah last night and the whole prairie country is aroused over the matter. Follmer has not been living with his wife since last January but has permitted her to support herself and child, according to the story told by the distracted mother last night.

Follmer and father left here yesterday afternoon and went to Vollmer where they secured a rig, driving 24 miles to Kamiah. The child had been sent to bed and was soundly asleep in her night gown at 10 o'clock when Follmer entered the house and carried her out while the mother frantically followed imploring him to leave her child. Mrs. Follmer declares that she followed the buggy half way up Five Mile hill, when she returned to Kamiah and swore to a warrant charging her husband with kidnaping. Today the senior Follmer was arrested at Vollmer but he gave no information of the whereabouts of his son and young granddaughter.

It is believed that Follmer drove to Nesperce with the child and stopped for several hours at some barn but departed before dawn. That the father has an equal right to the child and is in no way guilty of any crime is held by many including some county officials.

Follmer crossed the state line and is now in Washington. County Attorney Hodge said tonight that unless the evidence was stronger against Follmer than reported no criminal prosecution will be instituted.

ACCIDENT AT INDOOR MEET

Section of Balcony Railing Gives Way and Thirty Persons Are Injured.

SEATTLE, May 6.—Thirty persons were injured, many seriously, when a section of the railing in the east balcony at the new state armory gave away during the indoor track meet of the Seattle Athletic club tonight. The accident occurred at the close of the meet, just as the runners in the 10-mile race were crossing the tape. The crowd pressed against the rail in its eagerness to see the finish, when a section of the railing gave way throwing the spectators head foremost to the floor 15 feet below. The injured were rushed to the various hospitals.

COUNTRY LIFE COMMISSION

Southern Body Organized and Will Meet Annually.

GUTHRIE, Okla., May 7.—Today's session of the southern commission on country life was given over to further papers and speeches.

E. D. Cameron, state superintendent of education of Guthrie, Okla., was elected president of the permanent organization and A. C. Nelson, state superintendent of education of Salt Lake, first vice president. The association will meet annually, the next convention being held in Dallas, Texas. At today's session resolutions were adopted indorsing the work of Roosevelt's country life.

Black Hand Victim.

CHICAGO, May 7.—Another "Black Hand" crime was given to the police here to solve tonight. Marino Sagone, 47 years old, wealthy cigar manufacturer, who has narrowly escaped death on three previous occasions through his refusal to comply with the demands of his mysterious enemies, was shot while sitting in his brother-in-law's saloon and is reported to be dying at a hospital.

Woman Takes Gas Route.

DENVER, May 7.—Mrs. George C. Ellison of Seattle, who came to Denver some days ago to try to effect a reconciliation with her husband, who instituted suit for divorce, was found dead this afternoon in her room. A rubber tube attached to an open gas jet was in her mouth. She had evidently been dead more than 24 hours.

Ammunition Seized.

BAKU, May 7.—One thousand rounds of ammunition were confiscated here today just as they were about to be shipped to Persian revolutionists who in spite of the shah's promises to summon parliament do not cease their activities.

Posey County Goes Wet.

MOUNT VERNON, May 7.—Posey is the sixth Indiana county to vote "wet" under the local option law, having today decided by a majority of 1449 to retain the saloons. The majority is the largest yet obtained by the "wets."

Judge Hall Dead.

LONGBEACH, Cal., May 7.—Supreme Court Judge W. C. Hall, aged 65, of Salt Lake died in a sanitarium here this evening from a stroke of apoplexy.

To Succeed Capers.

WASHINGTON, May 7.—Royal E. Cabell of Richmond, Va., has been selected to succeed John C. Capers of South Carolina, as commissioner of internal revenue. Mr. Capers is ill.

TRIPLE TRAGEDY ON PUGET SOUND

JAMES DAWSON KILLS HIS WIFE AND DAUGHTER.

Then Turns Weapon Upon Himself and Takes His Own Life—Domestic Trouble Cause of Crime.

EVERETT, Wash., May 7.—James A. Dawson, night watchman for a mill company at Three Lakes, a small town near here, shot and killed his wife and 14 year old daughter and then killed himself today. The younger children in the house at the time were unharmed. Mrs. Dawson arrived a few days ago from Arkansas, their former state. The daughter lived long enough to run to a nearby house. Dawson and his wife, who had been living in the same house for a few days, are said to have been divorced. It is supposed family trouble caused the shooting.

Murder in Seattle.

SEATTLE, May 7.—John Cicoria, president of the Mazzie society, one of the richest Italian residents of Seattle, was shot by Joe Mazeroa, an Italian baker, today on Second avenue, in the very heart of the city. Cicoria will probably recover. Mazeroa immediately after the firing of the pistol surrendered.

STRANGE PENSION FRAUD

Man Fought Through But Was Not Regularly Enlisted.

NEW YORK, May 7.—One of the strangest cases of pension frauds on record was revealed in the federal court, when James Cunningham, for years a prominent Grand Army man offered to plead guilty to the charge of wrongfully accepting money from the government as a civil war veteran.

The odd feature was that Cunningham, who is well to do, sought a small pension out of pride and not because he wanted the money. Proud of his reputation as a Grand Army man, his theory was that with a pension he would obtain certain recognition as one who had fought for the Union.

According to statements by the attorneys, Cunningham was 17 years old when the Civil war started. He was unable to enlist, but was so eager to get into the fighting that he followed the One Hundred and Sixth regiment of New York volunteers to the front. While not regularly enrolled, he actually fought with the regiment and also saw some service as a follower of other commands.

Returning home at the end of the war, young Cunningham told of his experiences in battle. In time he became a Grand Army man and year after year on Memorial day, marched with the veterans in Brooklyn. Several years ago he was elected commander of Devin post.

OSBORNE COURT MARTIAL

Defendant Puts an Old Time Friend On the Stand.

VALLEJO, Cal., May 7.—Assistant Naval Constructor S. M. Henry concluded today his testimony before the board of inquiry in the case of Lieutenant Franklyn Wayne Osborne, U. S. N., accused of misconduct in the kissing of Mrs. Evans, wife of Naval Constructor H. A. Evans, at the latter's home Christmas evening. Most of the day was occupied with the testimony of a San Francisco newspaper man who was the boyhood friend of Lieutenant Osborne and who has been on a friendly footing with all the persons concerned in the affair since it first became public. This witness had been present at many conferences held before Evans brought suit for divorce, when the Christmas day mistletoe incident was discussed. He was placed on the stand by Osborne with a view to showing that the latter was not responsible for the publicity which the matter was given.

Anna Sudee, a maid in the Evans household, will be placed on the stand tomorrow by Constructor Evans.

Mrs. Evans, who is playing a vaudeville engagement here, was allowed to see her 2 year old daughter Eleanor this afternoon for the first time since she accepted service in the divorce proceedings last January.

TRACING THE BRIBERY MONEY

Prosecution Places A. M. Dollar, Treasurer of Company, on Stand.

SAN FRANCISCO, May 7.—The prosecution in the case of Patrick Calhoun, president of the United Railroads, on trial for offering a bribe, continued today its effort to trace the $200,000 in currency paid to Tirey L. Ford at the mint on Calhoun's order in 1906 to the hands of the supervisors, or rather of their alleged agent, Abraham Ruef, from the office of Ford, where the last positive evidence on the subject left it. A. M. Dollar, the acting treasurer of the company, through whose hands all money either received or paid, must pass, was, perhaps the most important witness of the day since he showed this large sum had not been in the ordinary course of business or passed through his office at all. Court adjourned until Monday.

MUST SERVE PRISON TERMS

Officials of Southern Lumber Company to Serve Time for Peonage.

PENSACOLA, Fla., May 7.—Manager Harlan of the Jackson Lumber company of Lockport, Ala.; Robert Gallagher, assistant superintendent, and three company officers will have to serve terms in the Atlanta prison to which they were sentenced in the United States circuit court here three years ago on the charge of conspiracy to commit peonage. The United States supreme court according to a telegram received here by local court officials had denied a writ of certiorari in the case.

Harlan is a nephew of Justice Harlan of the supreme court of the United States. He is one of the most prominent lumbermen in the south.

PATTEN REPORTS IN CONFLICT

One Says He Is at Ranch, Another That He Has Left.

TRINIDAD, Colo., May 7.—It was reported from reliable sources tonight that James A. Patten, the Chicago wheat operator, who has been resting at the ranch of his partner, W. H. Bartlett, passed through Trinidad this afternoon on his way to Chicago.

It was stated at the ranch tonight that Mr. Patten was still there, but later W. H. Bartlett, Jr., notified the telephone operator that he refused to talk to newspaper men.

Auto for the Pope.

TURIN, May 7.—A factory here has built for several Americans an automobile which was presented by them to Pope Pius. It will be elegantly equipped, lined with white leather, and will have on the left side a gold medal of St. Joseph, the pope's patron saint.

BOYLE HUSHED UP ON THE STAND

Both Boyle and Wife Attempt to Bring in Name of Third Party.

WOMAN COMPLAINS AT BEING SHUT OFF

Defense in Case of Mrs. Boyle Contends That Pennsylvania Courts Have No Jurisdiction and Refuse to Offer Any Evidence—She Declares She Will Commit Suicide Rather Than Go to Prison.

MERCER, Pa., May 7.—Relying entirely on their contention that the Pennsylvania courts has no jurisdiction in her cause counsel for Mrs. James H. Boyle, charged with aiding and abetting the kidnaping of "Billie" Whitla, today refused to offer any evidence in her behalf. Arguments will be made tomorrow.

The prosecution claims that Mrs. Boyle participated in this state in a conspiracy to kidnap the boy, will be combatted by the defense which will endeavor to have her turned over to the authorities at Cleveland. The state's testimony was mainly the same as that given yesterday in the trial of James H. Boyle, but some additional witnesses testified. One of the Cleveland policemen testified that she said when arrested: "I am the frail woman who planned the whole thing."

The finding of the ransom money secreted in her clothing was also testified to. The proprietor of the Granger apartments in Cleveland identified Boyle and Mrs. Boyle who rented rooms from her in the name of Walter. Through the proceedings Boyle and his wife apparently desired to bring out the name of another party said to have been connected with the case. Boyle at one point said:

"I want to tell the whole truth about this case now. I want the whole thing cleared up. The whole blame was on some one else."

Tonight Mrs. Boyle said:

"Both Jimmy and myself have tried to tell the whole story. We have not been permitted to do so. It is not justice. Everything should be heard and thrashed out. As for myself I will commit suicide before I go to the penitentiary."

WORK OF MOSLEM RAIDERS

All American Property at Kessab Entirely Destroyed.

BEIRUT, May 7.—An investigator who has just returned here from a trip to Kessab reports that all the American property at the place has been destroyed by the Moslem raiders. The American property there consisted of a girls' high school. Three-fourths of the native houses also have been destroyed, but the Armenian church and the new Protestant school building are still standing. Almost all of the people who fled from Kessab returned to find their houses burned. They are absolutely destitute. Some food and clothing are being distributed, but there is no system in the work and the supplies are entirely inadequate.

WOMEN IN STREET RIOTING

Policeman Who Arrests One Made Target for Many Missiles.

NEW YORK, May 7.—Woman figured conspicuously today in street rioting, incident to the bakers' strike. Most of the trouble occurred on the upper east side. A woman customer leaving a bakery was attacked by a woman. A policeman who arrested her assailant was attacked by a screaming meb of women and men who threw bottles, bricks and clubs at him. The mob ran when he drew him revolver. Another policeman had a similar experience with a crowd of 50 women who had attacked and slightly injured the daughter of a bakery proprietor. The women followed into a butcher shop and attacked him. They were driven out by other policemen.

EVANS OPPOSES DISARMAMENT

Rear Admiral Makes Characteristic Remark in Colorado.

COLORADO SPRINGS, Colo., May 7.—"I shall oppose disarmament until h—l freezes over and the devil goes a-skating." Calmly but with characteristic emphasis Rear Admiral Evans in these words tonight expressed his conclusions on the movement to achieve universal peace through disarmament. "There can be no peace except with a strong armament," said the admiral. "The United States must not be a laggard in naval and military preparations if she is to retain her supremacy."

Highlanders Banqueted at Caldwell

About 40 members of Idaho Castle No. 413, of the Royal Highlanders, left Boise on a special car at seven o'clock last evening for Caldwell where they were entertained in first class style by the members of the Caldwell castle. A banquet was served the visitors at Masonic hall and the returning car left Caldwell at about midnight.

Strike on Railroad.

BALTIMORE, May 7.—The machinists of the Mount Clare shops of the Baltimore & Ohio railroad, numbering about 350, tonight voted to strike. This action may lead to the men in all the shops of the system, numbering about 1000, being called out.

Battle With Moonshiners.

HUGO, Okla., May 7.—In a battle between a posse and a band of moonshiners near Turkey creek today United States Deputy Marshal Lon Holdon was killed. The band was routed. Three of the moonshiners were captured.

CAPTAIN HAINES MAY BE SENT TO ASYLUM

INDICATIONS HE WILL GO THE WAY OF THAW.

If Acquitted on Grounds of Insanity Court May Order Lunacy Commission to Examine Him.

FLUSHING, N. Y., May 7.—Captain Peter C. Hains, Jr., slayer of William E. Annis, may go the way of Harry K. Thaw, who killed Stanford White. It was said after today's session of the Hains trial that if Hains is acquitted on the ground of insanity, the court may deem it necessary to order a lunacy commission to inquire into his present mental condition. The giving of testimony was practically finished today. On Monday both sides will sum up, and Justice Garretson probably will charge the jury Tuesday. Most of the day's session was taken up with the testimony of the state's three insanity experts. They all expressed the opinion, predicated on the hypothetical question presented by the prosecution that Captain Hains was sane at the time he shot and killed Annis.

The district attorney did not call Mrs. Annis, the widow of the murdered man, as had been expected.

AGAINST FRENCH WORKMEN

Postal Telegraph and Telephone Employes Lose Public Sympathy.

PARIS, May 7.—Public sympathy and the law seem today to be clearly against the Postal Telegraphers & Telephone Employes' association, which yesterday threw down the gauntlet of the battle to the government by transferring itself into a syndicate or union under the laws of 1884. Evidence has accumulated today that the formation of this union was only the first step in a far-reaching plan of the General Federation of Labor to place the entire machinery of the government at its mercy.

The congress of railroad men at a secret session today decided to submit the question of a general strike to a referendum and appointed a permanent strike committee. Dispatches from Lyons, Havre and other cities say the Postal Telegraph & Telephone Employes' association has voted in principle for the general strike.

BOMB AT BUENOS AYRES

Explosion Tears Off Policeman's Leg and Injures a Child.

BUENOS AYRES, May 7.—A bomb was exploded today at a street corner, presumably thrown by persons in sympathy with the strike of protest against the action of the police in firing upon a crowd of May day demonstrators. The explosion tore a policeman's leg off and fractured a little girl's leg.

Many others were also injured, some seriously. The bomb was hidden in a basket of vegetables placed on the platform of a tram car presumably by some one in sympathy with the strike. A passenger heard a noise like the ticking of a clock coming from a basket and informed the police. The basket was removed by a policeman and the explosion followed. A number of cars and ceabs were operated though there was some disorder attending their passage through the streets. Business is at a standstill.

PAY TRIBUTE TO LONGFELLOW

Bronze Statue Unveiled in Washington With Imposing Ceremonies.

WASHINGTON, May 7.—The nations of the world through their diplomatic representatives today joined with America in paying tribute to the memory of Henry Wadsworth Longfellow, when a statue to "America's most popular poet" was unveiled with imposing ceremonies in the fashionable center of the national capital.

Today's exercises were the culmination of years of arduous labor and represented the contributions from all parts of the land. The initial steps toward obtaining a statue to Longfellow were taken 12 years ago by the formation of the Longfellow National Monument association.

A feature of the exercises was that a grandchild of the poet Miss Enteia Thorpe of Cambridge, Mass., pulled the silken cord which unveiled the statue, a splendid bronze affair.

Chief Justice Fuller of the United States supreme court, and president of the Longfellow memorial association, presided, and Attorney General Wickersham accepted the statue upon behalf of the nation.

PISTOL DUEL IN OREGON

William Hewe and James Sullivan Quarrel Over a Woman.

SALEM, Ore., May 7.—Information was received here this afternoon that William Herve and James Sullivan engaged in a pistol duel today at Gates, a settlement in the Cascades, 40 miles east of here. Herve was wounded in the neck and Sullivan in the abdomen. Both will die.

The quarrel which led up to the shooting was caused, it is alleged by both paying attention to the same woman.

THREE ARE E PECTED TO DIE

Victims of Accident in Seattle Have Little Chance for Life.

SEATTLE, May 7.—Although no fatalities have resulted from the accident in the new state armory last night when the railing in the east balcony hurled the spectators to the floor, it is feared at least four of the 60 victims will not recover.

Edwin O'Neill Cecil Thornton, Marion F. Lewis and John Murray are in a critical condition tonight and the hospital authorities offer little hopes for their recovery.

NOTHING STALE.

ONE way to get out a paper is with the scissors, Clippings, antequated pictures of far away events, stale happenings presented as "news"—that's the game of the would-be paper.

Another way—The Statesman way—is to print live news all the time, every day in the year, embellished with live pictures on live subjects, made in Boise.

The Statesman has the only telegraph service worthy the name published here.

Its columns reflect the live happenings of the world, of the nation, of the state, of the city.

Nothing stale.

STRUCK BY BALL YOUNG BUSH DIES

Bank Employe Fatally Injured During Practice on Barracks Grounds.

SKULL FRACTURED AND PARALYSIS DEVELOPS

Walks Home Without Appreciating He Has Been Seriously Injured and Later Collapses—Skull Trepanned and Bone Removed Sufficient to Relieve the Pressure on the Brain.

Milton Bush, son of Mrs. Ellen Bush, 321 Bannock, died at St. Luke's hospital at 2:45 this morning as the result of an accident on the barracks athletic field yesterday. Mr. Bush, who was with the Boise State bank and a member of the Bankers' Twilight league baseball team, was practicing at the barracks. He was at the bat when struck in the head with the ball. He was dazed but not rendered unconscious. Indeed, he did not fall. He resumed practice in a few minutes and then walked home.

Evidence of Paralysis.

Young Bush was weak when he arrived home but dressed for dinner. He could not eat, however. About 7 o'clock his condition became so alarming Dr. Lyman was called. It was disclosed that paralysis had developed, due presumably to a blood clot on the brain. Drs. Springer and Stewart were called into consultation and an operation was decided on.

At 9 o'clock the young man was partially conscious, but a short time after he lapsed into unconsciousness.

Removed Portion of Skull.

Shortly after midnight Dr. Lyman reported that a portion of the skull had been removed, relieving the pressure.

TURNS DOWN RACING BILL

Arkansas House Refuses to Take Up Measure.

LITTLE ROCK, Ark., May 7.—In the face of the lobby and a gallery packed with citizens of Hot Springs, the house today refused to take up the Wadley bill, providing for the re-establishment of racing at Hot Springs. The delegates were present in force today when the house convened but not until late in the session did a Hot Springs representative obtain recognition. In a short statement he asked that the bill be allowed to be read a second time, but objections were made by opponents of the measure and a motion to suspend the rules and take up the bill, requiring a two-thirds vote to carry, had to be made. The motion lost.

PRESIDENT HAS A SORE EYE

Physicians Advise Him to Keep Indoors for a Day.

WASHINGTON, May 7.—President Taft was compelled to abandon the idea of attending the unveiling of the Longfellow statue today, owing to a badly inflamed eye over which he is wearing a light bandage. A gnat or some small insect got into Mr. Taft's eye while he was horseback riding Wednesday. Yesterday his eye became irritated. His physicians thought the glare of the bright sunlight today would be bad for the eye and advised him not to venture out.

POSTMASTERS TO BE HELD

Must Collect Duty on Articles Passing Through Their Hands.

WASHINGTON, May 7.—Postmasters hereafter will be held to account if they deliver in person packages of foreign origin containing dutiable articles without first submitting them to he nearest customs officer or without collecting the duty assessed on each package as the result of order issued by the postoffice department today. Numerous of failures on the part of postmasters to do this have been reported by the secretary of the treasury.

EMBEZZLEMENT CHARGE FAILS

J. Hurlbut Anderson Acquitted at Preliminary Hearing at Sandpoint.

(Special Dispatch.)

SPOKANE, Wash., May 7.—H. Herbert Anderson, late president of the Panhandle Smelting company at Penderay, near Sandpoint, Ida., was acquitted on a preliminary hearing today of the charge of embezzling $1150 of the company. It was shown in the testimony that Anderson's personal account and that of the smelting company were combined.

Russian Duma at Work.

ST. PETERSBURG, May 7.—The duma today passed the third reading of the agrarian bill which dissolves communal institutions, and will facilitate the transfer of property to individual ownership. The vice minister of the interior announced today that to January 1, 300,000 peasants had declared their intention of withdrawing from the communes and that of these 600,000 had already obtained title deeds to individual holdings.

Elections In Finland.

ST. PETERSBURG, May 7.—The returns from the Finnish elections are now about complete. The vote of every district except two shows that the new diet will be made up practically the same as its predecessor.

MURDERER SEWARD GOES TO HIS DEATH WITHOUT A TREMOR

Idaho Prison Gallows and Latest Victim, Fred Seward.

Snap Shot of Warden Snook Taken by Statesman Artist Before the Execution.

WOMAN SLAYER NERVELESS ON TRAP

Perfectly Resigned, He Pays Penalty for a Brutal Murder.

FLEMMING IS NEXT

THE execution of Fred Seward passed off without an incident to mar quiet enforcement of the death decree. The condemned man, with prayer on his lips, courageous to the last, repentant for his crime, and expressing hope of salvation stepped with firm tread onto the trap which a few moments later sent his soul into eternity. No evidence of weakness was manifested until the very last when the black cap was drawn over his head. Then his whole being shuddered as though chilled by a cold blast.

Warden Snook had laid the plans well and the work was done expeditiously. Seldom a murmur passed the officers' lips and when possible instructions were given by sign. Upon announcement by Seward that he did not care to make a statement, Rev. Chalfant opened in prayer, the noose was adjusted and the trap sprung, the supplication of the pastor continuing throughout the entire process.

Seward during his last hours told of a divorced wife and son, five years of age, living in Montana. He was married, he stated, when he was 14 years of age.

John Flemming, sentenced to death for a murder committed in Lincoln county, in commenting on the Seward hanging yesterday stated: "If they are going to do business with me I wish they would get busy. I am tired of the fiddling around."

Flemming's execution was to have taken place last December, but a stay was granted pending an appeal to the supreme court. Flemming's wife was sent to the insane asylum during his trial.

Fred M. Seward was hanged at the Idaho state penitentiary at nine minutes and five seconds after 8 o'clock yesterday morning for the premeditated murder of Clara O'Neill, a notorious woman of Moscow, on October 19, 1908. He died instantly.

The man went to his death coolly, his last words being to the deputy warden who placed the noose around his neck: "Rich, make a good job of it."

His only fear was that the hanging would be bungled and he would strangle instead of having his neck broken.

He made no statement from the gallows.

The death warrant was read to the condemned man by Warden Snook between 8 and 8:02 o'clock, the death march from the cell to the gallows began at 8:04, the trap was sprung by the warden at exactly 8:09:05 by a stop watch. The body dropped seven feet and death was instantaneous, the neck having been broken. The body hung slightly quivering and straining from reflex action, with the heart pulse strong and beating at 100 per minute till 8:15. Then the pulse slowly weakened and at 8:16:35 the doctors pronounced the man dead.

Burial in Prison Cemetery.

The body was immediately placed in a coffin of polished wood, and followed by officials and others, was taken to the prison grave yard where the grave was ready. The body was lowered as school bells of Boise were ringing clear on the crisp morning air, sounding an unconscious requiem for the dead murderer. After a short prayer by Rev. Charles Chalfant the execution party left the grave.

Seward slept soundly the night before from 8 o'clock till 6 a. m. He ate a hearty supper, but only a light breakfast of mush and milk. He was free from all drugs often given under such circumstances, being upheld by his religious convictions to which he

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JAPANESE HANGS HIMSELF

SALT LAKE BUSINESS MAN ENDS HIS LIFE.

Y. Narumi Found Suspended to a Tree in City Creek Canyon—Despondent Over Family Troubles.

SALT LAKE, May 7.—Friends found the body of Y. Narumi, a Japanese business man, hanging to a tree in City Creek canyon today. Under the tree was a revolver and a box of cartridges. Narumi had evidently climbed out on the limb of the tree, adjusted a rope to his neck and jumped. He had been missing from his store since Thursday. His associates forced an entrance today and found five letters, including one to his wife in Sugar City, Ida., and another to his mother.

The letters announced his intention to end his life and indicated that separation from his wife and child had caused his despondency.

Narumi was one of the prominent members of the local Japanese colony. He was proprietor of the Salt Lake Japanese Mercantile company and a director of the Salt Lake Japanese association.

DECISION FOR DULUTH BOARD

State Loses in Suit to Dissolve Charter of Board of Trade.

ST. PAUL, May 7.—The Duluth board of trade has won the suit brought against it by the state of Minnesota to dissolve its charter and dispose of its property on the ground that it is an illegal combination in restraint of trade. The state supreme court decided the case today against the state. The suit was brought after evidence had been submitted by the Minnesota Farmers' exchange which was denied a membership by the Duluth board on the grounds that it violated the rule against "split commissioners," fixing a scale of absolute rates.

SPEAKER CANNON'S BIRTHDAY

Receives Congratulations and Good Wishes of His Friends.

WASHINGTON, May 7.—This was Speaker Joseph G. Cannon's 73rd birthday and he received the congratulations and good wishes of his friends in his office where he remained throughout the greater part of the day. The Republican members from North Carolina, where the speaker was born in 1836, presented him with an unusually large dipper made from a gourd from the Tar Heel state.

LWAYS FAIR AND JUST WARM ENOUGH

AILY STATESMAN

O FRIDAY MORNING JULY 9 1926 MEMBER AUDIT BUREAU OF CIRCULATIONS. Price Five Cents

LASHES OF LIFE

(By The Associated Press.)

ONDON—From a bookmakers'—a bookmakers'—point of view in the ls of Rudyard Kipling the odds not attractive as to authors, since "quite a dozen writers have ved immortality in the past 2500 s."

OLUMBUS, O.—From the point of of another type of bookmaker odds against various gentlemen, of them writers of a sort, at- ng transient fame on the links week range from 5 to 1 upwards.

ASHINGTON—Uncle Sam is hav- reat success locating illicit stills aking photographs from planes, ging them and putting them un- magnifying glass.

W YORK—Prohibition agents oing to school. They will learn courteous as well as how to tes- and otherwise perform their s.

EST NEW YORK, N. J.—Paul man, a weaver with a family, up in a cell and shrieked out his sity as to the reason for being "Shut up!" yelled another

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BWAY STRIKE EARS CRISIS

r Leaders Expect Power- ouse Employes to Join In Walkout.

W YORK (AP)—The subway approached a crisis Thursday. hief developments of the third the strike were claims by strike s that all Interborough power employes would join the strike and an ultimatum by subway ls that strikers failing to return r jobs by Monday will be per- tly replaced by new men.

ard P. Lavin, one of the strike , announced Thursday that would be "something of a start- ture in the next 48 hours." Ask- his development had to do with ble settlement, he replied "per- "In any event," he said, "if we will be good losers and if we will be modest winners."

ormen and Switchmen Out.

ar the strike has been confined

JARDINE FAVORS CO-OPERATIVES HANDLING CROPS

Secretary Explains Legislation He Urged Was Designed to Give Organizations Necessary Credit to Meet Situation.

ST. PAUL, Minn. (AP)—Legislation favored by Secretary Jardine on the crop surplus problem has been designed to strengthen the co-operatives and give them necessary credit to meet the situation, he told the American Institute of Co-Operation here Thursday night.

A surplus of any crop may be due to faulty distribution, to a lack of storage and transportation facilities, and to restricted credit, the secretary said, and it should be obvious that these are difficulties that can best be met by soundly financed, large-scale organizations.

"I do not see that the government can do more than make available adequate finances on reasonable terms and provide such service as will enable the co-operatives to operate more efficiently," he said. "I see no way in which better and more economical distribution of farm products can be brought about except through the more efficient performance of all the marketing functions.

Believes in Co-Operatives.

"If there is overproduction of any product, we must, again, it seems to me, look to the producers' organizations for the correction of the difficulty. Guidance of production and its correlation with the requirements of the market have never been given consideration until recently. . . . In other words, the cure for excess production, as I see it, is co-operation that goes back of the marketing processes and begins with the production plans of the farmers."

The secretary reiterated his strong belief in the potentialities of the co-operatives, pointing to their growth in 1925 to a point where they transacted $2,500,000,000 in business.

From the viewpoint of co-operative organizations, he said, he did not believe "it is or has ever been their pol-

JURKO IS HANGED AT STATE PRISON

LOSES LAST FIGHT

JOHN JURKO

Slayer of Vandenmark Loses Fight for Commutation in Two-Day Hearing; He Shows Resentment at Outcome.

EXAMINERS FIND HIM SANE

Two Ministers Are With Condemned Man to Give Comfort in Last Hour; Automatic Trap Drops Him to Death.

John Jurko was hanged at the state penitentiary at 12:14 this morning, for the murder in Twin Falls, June 25, 1924, of A. W. B. Vandenmark, his former business partner.

The trap was sprung at 12:14½, and attending physicians pronounced Jurko dead at 12:25. The body was cut down immediately, and was claimed by friends, who are expected to take it to Twin Falls for burial.

Jurko died with a prayer on his lips, after making a speech in broken English, in which he said he had forgiven those whom he has accused of giving him an "unfair deal" in his trial and subsequent moves for a new trial or leniency.

Trap Works Perfectly

About 60 persons, including prison officials, ministers of the gospel, newspapermen and others, witnessed the execution. The automatic trap worked perfectly. The gallows was set up on the spot where Noah Arnold, negro, was hanged 18 months ago.

As in the execution of Arnold, a water device was used to spring the trap.

At midnight, the Rev. C. E. Burgess, pastor of the First Presbyterian church, and the Rev. A. C. Tunnell, pastor of the Nazarene church, held a short prayer service in the cell house. Then Warden J. W. Wheeler asked Jurko whether he desired to have the death warrant read, and Jurko replied:

"Suit yourself. Go ahead and read it."

At the end of the reading of the death warrant, Jurko exclaimed:

"No mercy, no justice! But I for-

NATION'S CHIEF WALKS IN RAIN

Coolidge Strolls Through Woods at Summer Camp in Shower; Rests in Afternoon.

PAUL SMITH'S, N. Y. (AP)—Overcast skies and occasional showers greeted the President Thursday on the second day of his vacation in the heart of the Adirondacks, but served to curtail his activity only a little.

Elated by his success of the first day as a fisherman when he landed a three pound pike after a sharp struggle on the waters of Lake Osgood, and tempted by ideal fishing weather, the Chief Executive is understood to have tried his luck again behind the wall of trees which guard the lake. What success attended such an effort, however, was not revealed.

Undismayed by a heavy rain, Mr. Coolidge was early astir at the camp after a long sleep and took a walk in the woods of White Pine camp. But in the afternoon with bad weather continuing he remained inside before