

TRIGGER' TRIAL ON WITH UNION MEN OUT OF BOX

Judge Removes Two Jurors and Tension Is Revived in Murder Case.

TESTIMONY IS BEGUN

MINGO COUNTY COURTHOUSE, W. Va., Feb. 10.—"Order in the courtroom!"

Three sharp raps with the lead end of a .45-caliber revolver cartridge, and Deputy Sheriff Medley Crum had the complete silence necessary for the "Oyez, oyez" litany.

The "trigger trial" was on in earnest.

Crum, who is the official order keeper, always uses the bullet for rapping, but today's rap particularly was sharp and there was a peculiar ring to his voice.

It was illustrative of the whole atmosphere in this packed courtroom and throughout Mingo County.

Overnight the tension that reigned two weeks ago has returned.

The count, which last night Virginia is to put on its first witness during the day in the case against Sid Hatfield and twenty others jointly accused of murdering Detective Albert Felt.

On the jury are five farmers, two school teachers, a telephone manager, an electrician, a brakeman, a laborer and a sawmill worker.

The count, in its first refutation, "They never get a trial in this country," had been put to naught chiefly by Judge Bailey in applying the judicial steam roller. He removed the union issue by excusing the two talesmen who were union men and whom the State desired to challenge on that ground.

Witnesses for the State who dodge the count will be kept in jail till they have testified, Judge Bailey announced. He said one witness already had been ordered arrested on that ground.

BAFFLE STATE AS MYERS CASE GOES TO JURY

(Continued From Page One.)

for the two step-children and maintain the photographic business.

Mrs. Myers testified that she and Myers were married in June, 1910. She told how, in the fall of the first year of their married life, they had their first serious quarrel.

"It then occurred when I attempted to hold him to his promise to buy a home," she testified. "The next time he quarreled with me was when my parents sold the old farm in Marion County. I attended the sale and on returning I cried. Mr. Myers ordered me out of the house and told me to go back to my parents. The boys began crying and he allowed me to come back."

OBJECTION TO REMARKS.

At this point, Attorney Arthur R. Robinson, chief counsel for Mrs. Myers, put a question to the court which was ruled by Prosecutor Evans. After the court had ruled, Robinson said: "All we want to do is to get her story before the jury."

Prosecutor Evans jumped to his feet and said:

"I think that that remark of counsel is the plainest thing he has said under his breath during this trial. It is unethical, untruthful and such remarks should be stopped."

Robinson said that the "words just slipped out, as he should have said that all he wanted to do was to get competent testimony before the jury."

Judge Collins said:

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Prosecutor Evans repeatedly objected to the manner in which Robinson put the questions to Mrs. Myers and in most instances Judge Collins sustained the prosecutor.

"The boys had a revolver when I married him," stated Mrs. Myers. "He used to carry it in the car, but kept it hidden at home. That revolver can be produced as evidence if necessary."

HUSBAND SOUGHT SUICIDE PACT.

Mrs. Myers continued: "About seven years ago I became afraid of him. About seven years ago, one night, he came to my bed and threatened to kill himself. He left and returned and he told me that if he would come upstairs with him he would kill us both. At one time he insisted that I sign an agreement to commit suicide."

"He said that if I didn't sign the agreement to commit suicide he would kill me," testified Mrs. Myers.

Mr. Robinson said: "I will answer your question, but did the defendant threaten to kill you if you did not allow him to use your body unnaturally?"

DESCRIBES ATTACK BY HUSBAND.

She answered:

"Yes. Six or seven years ago, the first time. He came to me after being out nearly all night. He had been drinking. He told me that he would kill himself if he had a right to do what he wanted. When I repulsed him he tore my gown. Another time he tore another gown and also for the same reason he has torn two gowns."

"I was at the jury. Mrs. Myers said: 'When you wake me up this night to find Mr. Myers sitting up in the bed with his hands fingered my neck,'"

"Were you frightened?" counsel asked.

"Naturally."

"I object to the answer and move it be stricken out," said Prosecutor Evans.

"I will go on," the court ruled.

"Were you frightened?" counsel re-peated.

"Yes,"

"You know him in a political way?"

"I know him."

"You are frequently called into cases as a character witness?"

"I am not."

"That's all, Mr. Shank," said the prosecutor.

The State had proved by detectives and the police that no apple peelings were found by the detectives and that no pocketknife was discovered at any time in the police. Evidence showed that no one entered the room of the Myers from the time of the shooting, with the exception of Mrs. Myers, until the detectives arrived.

Attorney Robinson made an effort to prove there were apple peelings in the room by introducing several girls who claimed they entered the room hours afterward and found apple peelings in the trash barrel used as a waste basket. They admitted this was after the detectives made their examination of the studio.

SEEMS TO HANG ON POCKETKNIFE.

Those who are closely watching the case seem to feel that the fate of Mrs. Myers will depend a great deal upon whether the jury will believe if Mr. Myers actually had a pocketknife in his hands when Mrs. Myers killed him. The knife has never been found.

Those who are testing it to the exactness of the apple peelings were Miss Orla Just and her sister, Miss Rose Just, 1625 Bellefontaine street; Miss Katherine E. Lewis, 1810 North Asbury street, and Miss Helen Henry, who lives near the Myers studio.

Many other neighbors were introduced by defense as character witnesses.

The defense is supported by several witnesses that they had warned Mrs. Myers against her husband.

TELLS OF TAKING BOY'S REVOLVER.

Mrs. Myers testified to taking a revolver from her stepson, Arthur, after he traded a drum for the weapon. She said she placed the revolver in a drawer of a desk, and when she took the revolver upstairs to have it "filled," she admitted buying cartridges. She claimed that for a month or two she carried the revolver in her pocket on entering the "darkroom" when developing pictures, as Myers often attacked her on coming out of this room.

Probably the most effective testimony given by Mrs. Myers was her calm recall of the frantic efforts of her husband to compel her to remove from her divorce complaint against him the charge of adultery.

"On the night of the shooting," said Mrs. Myers, "I went into the darkroom to do some work. Mr. Myers, who was sitting at his desk peeling an apple and

Dress Suit Worn by \$6-a-Day Solon Subject of Scandal

Sharp parliamentary tactics were employed and numerous "aspirations" were cast in the Senate today in a spirited debate over a resolution demanding to know how Senator George H. Miller of Klamath and woman's dress suit on \$6 a day, the salary of Senator. It seems the Senator appeared conspicuously in "open face clothes" at a recent affair.

The resolution was introduced yesterday and was referred to a committee of "farmers," Senator Oliver Kline of Huntington, Senator Morris J. Rosen of Lynn and Senator Joseph M. Cravath of Madison.

Senator Harold Van Orman of Evansville introduced a motion demanding that the resolution be recalled and acted on. Immediately there were protests from the special committee that it had not had time to go over such an important matter. Things were lively at a time but the argument was finally settled when Senator James J. Neill, noted parliamentarian, declared a resolution could not be withdrawn from a special committee, and when Senator Furnas assured the Senate the dress suit, which he said was "in kick," would not be molested.

At the end of the debate, Senator

FOURTH BOMB IN FOUR DAYS JARS CHICAGO

Explosion in Labor War In-jures Two Persons Seriously.

CHICAGO, Feb. 10.—The fourth early morning bomb explosion here in four days seriously injured a man and a woman today.

Victor E. Koenig probably will lose his sight and his wife is suffering from "shock shell" as a result of the explosion of a dynamite bomb in the plant of the Douglas Dairy Company while the two were walking by.

Labor trouble with the Milk Drivers

Union is blamed for the outrage.

Another woman was wounded at an apartment house where there is a union janitor. No one was injured.

This is the second time the building

has been bombed since last December.

AUTO SPEEDERS GET STIFF FINES

Judge Pritchard Assesses Penalties on 3 Violators.

Three men were fined in city court today by Judge Walter Pritchard on charges of violating the motor speed laws.

Oscar C. Hose, 113 Garfield avenue, was fined \$30 and costs. Motorcyclist George Nichols, 2111 State, was fined \$20 and costs of a letter which Secretary of State Colby sent today to Senator Lodge, chairman of the Foreign Relations Committee.

Secretary Colby, however, declined to transmit to the committee any paper in the negotiations.

The committee, with the United States participating, to arrange a reduction in the German indemnity and settlement of territorial claims, has not yet been provided in a resolution introduced in the Senate today by Senator France, Republican, Maryland, and referred to the Senate Foreign Relations Committee.

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WASHINGTON, Feb. 10.—"Substantial progress" has been made in the negotiations for a new agreement between the United States and Germany, according to a letter which Secretary of State Colby sent today to Senator Lodge, chairman of the Foreign Relations Committee.

Because of Charles Bennett's age, 19, Judge Pritchard fined him \$15 and costs for speeding. Motorcyclist Brooks and Taylor said Bennett was driving at the rate of thirty-five miles an hour on Capitol avenue between Twenty-fourth and Twenty-sixth streets.

Secretary Colby said, and thus it was not possible for him to comply with the request.

Communication of a record which amounts to practically a primary comparison of views would be premature and tend to defeat rather than aid the eventual reaching of an agreement, the Secretary said.

DEFICIENCY BILL PASSES HOUSE

WASHINGTON, Feb. 10.—The deficiency appropriation bill, carrying \$203,293, was passed by the House today.

PENSION BILL PASSED

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Permit Issued for La Salle St. Building

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The bill provides that the attorney general must appear on behalf of the State of Indiana to represent the State of Indiana in the pension proceedings against any county township or town.

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