

TELLS JURY SHOOTING WAS "PURE ACCIDENT"

Harry Witchewah Swears That He Had No Intention of Killing Dora Hall.

ON STAND IN HIS OWN DEFENSE

Speaking Slowly and Waiting to be Led by His Counsel, the Indian Relates His Life Story and Gives Account of Fatal Shooting—His Memory Gives Him Trouble.

"Gentlemen of the jury, I did not have no intention whatever to shoot her. It was a pure accident."

In these words Harrison Witchewah told the jury in the Corporation Court yesterday afternoon of the shooting of Dora Hall in the rear of C. W. Whiting's saloon on the night of Saturday, December 7, 1907.

This statement came as the climax of the Indian's recital of his life story and the story of his movements on the day and night of the murder. Throughout the recital, which consumed upwards of two hours, he was led by his attorney, Guy L. Hursh, of Holton, Kansas, and when the story had finally been brought down to the time of the shooting, the attorney said: "Now, Harry, tell the jury whether or not you intended to shoot Dora Hall."

Turning to the jury, exhibiting little or no emotion, and speaking distinctly, but a little haltingly, Witchewah made the statement quoted above. A few seconds before he had stated that after he and Dora Hall entered the room in the rear of the saloon he had taken out his gun and was playing with it, pulling the trigger back and lowering it with his thumb. When he had told of the shooting, Attorney Hursh immediately asked: "Did you know there was a load in the gun?"

"I would not have been fooling with it if I had known it was loaded," replied Witchewah. While on the stand Witchewah was unusually calm and composed. At times he spoke haltingly, then again he would answer questions rapidly. However, he was absolutely careful to let his lawyer lead him through his recital. He gesticulated frequently and would scowl when he appeared not to understand the question asked. On other occasions when he did not understand the questions, he would shrug his shoulders, throw out both hands and say, "I don't know what you mean."

Unable to Remember. On cross examination he was unable to remember anything that Commonwealth's Attorney Charles C. Berkeley desired him to recall. After a question had been put he at times would look at Captain Berkeley with a rather stupid stare and then again he would answer the captain's questions rapidly and at times apparently tried to diverge from the point the captain was attempting to bring out.

After cross examining the witness for more than a half hour, Captain Berkeley asked him if he had not told Detective Sergeant Henry Bridgers a different story of the shooting from that he had related on the witness stand. Counsel for the accused objected to the question on the ground that it was not legitimate cross examination. Captain Berkeley then stated that he asked the question in order to give the witness an opportunity to correct himself, as it was the purpose of the Commonwealth to contradict him.

It was explained that Sergeant Bridgers would be called to the stand to relate what the accused had told him of the killing, for the purpose of rebutting the prisoner's story. Attorney Alfred Crane stated that before the court ruled on the question he would like to look up several rulings heretofore made by Judge Barham on such questions. The court granted the request and the point will be argued this morning. Witchewah will be recalled to the stand when court convenes today.

May Know Fate Today. Witchewah may know his fate this evening. The Commonwealth rested its case a few minutes before noon yesterday. Five witnesses, including the accused, were placed on the stand by the defense yesterday and the remaining two will be heard this morning. The Commonwealth then will put on several witnesses in rebuttal. It is expected now that the argument in the case will begin early this afternoon and that the case will be given to the jury this evening, although this cannot be done if much time is consumed by argument over instructions.

It was 2:55 o'clock yesterday afternoon when Witchewah was called to the stand. The court room was packed to its capacity, the crowd overflowing the space outside the attorneys' table. When the Indian arose and walked from his seat beside his counsel to the witness stand every eye in the court room was riveted upon him. He took the oath administered by Clerk of Courts D. G. Smith and stepped briskly up to the witness stand. Story of His Life. Attorney Hursh examined the witness and he propounded hundreds of questions before he could get the man's life story. Witchewah said that he was born early in the year of 1881 on the reservation of the Pottawatomie Indian tribe, near Topeka, Kansas. He is a member of that tribe, has one brother and three sisters, and has one-fourth white blood. At that point Captain Berkeley objected to the recital of the life story, but he later withdrew the objection. Witness said that he was raised on the reservation and attended school at the Pottawatomie agency and later attended the High school institute at Lawrence, Kansas. When not attending school he worked on his father's farm. After his father died, he remained at home one year and then joined the Pawnee Bill Wild West show. He, remained with the show four seasons, being employed as a bronco rider and ropier. He returned home every fall and after leaving the Pawnee show he returned home. The witness declared emphatically, "I got a home; I got a home yet."

His Father's Gun. He signed with Miller Brothers' 101 Ranch show last spring as a bronco rider and lasso thrower, signing a 26 week's contract. He said he used his gun and the blank cartridges exhibited in court in his work at the show. He said this gun was government property, having been issued by the United States government to his father, who was an Indian police. When his father died he took the gun. Witness said he first met Dora Hall in Chyenne Joe's place at Pine Beach in July. He said he received \$20 a week from the 101 Ranch, getting two envelopes, one containing \$7.50 and the other, \$12.50. He received a check for \$348.58 from the government agency during the summer and later received another check for \$15. He said he was with Dora Hall all night the first time he met her and that she frequently stayed with him afterwards at Mr. Rose's house at Pine Beach. Witchewah said that he spent Friday night, December 6, at California Frank's place at Pine Beach. That evening he got two letters, one of which contained a check for \$50. He went to Norfolk Saturday morning to get the check cashed. He said that the 101 Ranch left the Exposition be-

NAVY'S NEEDS AGAIN DEBATED BY SENATE

Senator Hale Explains Why Appropriation Was Not Made for Two New Battleships.

MAINE MAN QUOTES A BRITISHER

Declares That Former Head of English Navy Says That Our Ships Are as Good as Any in the World—Hale Also Answers Statements Made by a Newspaper.

(By Associated Press) WASHINGTON, D. C., April 22—

When the consideration of the naval appropriation was resumed in the Senate today, Mr. Hale, referring to a publication in a New York paper, which he said announced "war outside and inside the Senate" explained why an appropriation for the new battleships and submarines had not been placed in the bill either in the House or the Senate.

The House, he said, voted the appropriation shown on the ground that it would not be needed until next December and the Senate committee had not put it in the bill because no estimate of the amount that could be expended had been received from the department. Since the bill was reported the estimates amounting to \$7,000,000 had been received and he would add that amount as an amendment to the bill, thus increasing to that extent the already heavy appropriation for the navy.

"I say this," added Mr. Hale, "in order that senators and newspaper men and all others may possess their souls in peace." Answering an inquiry by Mr. Clay, Senator Hale said it was necessary to begin to repair the great vessels of the navy almost as soon as they are set afloat. When repairs reach the original cost "it is discovered that a vessel is obsolete."

Gives Views of Britisher. Mr. Hale said he had recently talked to Sir William White, formerly head of the British admiralty, who had stated that the United States had the finest fleet in the world and that the excellency of our navy was due to the fact that we have waited to build ships while Great Britain had spent hundreds of millions of dollars upon ships that have become obsolete.

"The ships you have are the best of their kind," he told me," said Mr. Hale. "But you will find just as we have found that the expense of a great navy only begins when you have built the ships."

Mr. Clay criticized the large amounts of money carried in the bill for repairs to vessels. Mr. Warren criticized the naval bill so far as it provides for an increase in the navy and marine corps, saying that when the increase for the army was proposed it was placed in a separate bill and brought into Congress early so that discussion on it could be had. He referred to the recent remarks of Senator Hale in the Senate in which the senator from Maine commended a newspaper article stating that the policy of the secretary of war has been to increase the army to 125,000 men.

Hale's Speech Had Wide Influence. Mr. Warren said there seemed to be a feeling of resentment toward every proposition to enlarge the army and since the speech of Senator Hale, of Maine, there has been widespread comment on the extravagance of the appropriation for that branch of the service. Now, he said, the navy bill was before the Senate for provision for an increase in the force which it proposed to pass in a minute.

That is because we keep adding ships, suggested Mr. Hale. "But the army is enlarged because we keep adding countries," retorted Mr. Warren. "We have not added any lately, thank God," retorted the senator from Maine. Mr. Hale added that he did not have the army so much in mind as he had the navy when he spoke against an increased military establishment. He said he was then prepared to oppose four new battleships.

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and a letter from General Bell, chief of staff, declaring that he never "heard of such a thing and never thought of doubling the army."

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(Special to The Daily Press) CHILHOWIE, VA., April 22—Thomas Blevens, a well known man of this section, this afternoon shot and instantly killed George Owens, his brother-in-law, in a dispute over the payment of an account of 35 cents. Owens was shot in the back as he turned to leave Blevens, after paying the account.

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Nebraskan's Visit to the Metropolis Comes to an End With a Whirlwind Finish.

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From the Time He Arose Till He Retired There Were No Lulls in His Minutes—Talks to Bricklayers, Law Students and Newspaper Men—Leaves Today.

(By Associated Press) NEW YORK, April 22—The three days' visit of William Jennings Bryan to this city came to an end tonight with an energetic finish. Mr. Bryan's last function today was the annual banquet of the Associated Press and the American Newspaper Publishers' Association at the Waldorf-Astoria, where he was the principal guest of the evening, and delivered a speech, and was cheered by 800 editors and publishers with their guests.

While Mr. Bryan did not rise until late this morning the remaining portion of the day was busily employed in conferences with political leaders and reception of many friends who called upon him. During the afternoon he conferred with Colonel Henry Watterson, Congressman James, of Kentucky; Daniel J. Camp, Democratic national committee man from Michigan; ex-Mayor Josiah F. Quiney, of Boston, and State Senator A. C. McNeill, of Connecticut.

A delegation representing the local bricklayers union called upon him later and presented him with a set of resolutions praising his efforts on behalf of organized labor. In thanking the committee for the resolutions Mr. Bryan said: "I have done what I have thought to be right. I have felt that all society is interested in the welfare of society and the things that the laboring man is asking for are to my mind so just that they should be allowed. I have never attempted to pray class against class although it has been stated that I have attempted to do so. I have so labored to bring all classes into harmony, and only by securing justice can peace be secured."

Mr. Bryan hurried immediately after dinner to the law school of New York University in Washington Square, where he made an address and then he spoke at a meeting of the Business Men's Civic Club.

Afterwards he attended the banquet of the Associated Press and the American Newspaper Publishers' Association. He and his family will depart from the city tomorrow for Nebraska, and Miss Grace Bryan will leave the family at Harrisburg, Pa. to return to school in Roanoke, Va.

CAMPBELL-BANNERMAN CLAIMED AT LAST BY DEATH

Former Prime Minister Passes Away at His Home in London After Long Illness.

LONDON, April 22—Sir Henry Campbell-Bannerman, ex-Prime Minister of Great Britain, died at his home, 29 Belgrave Square, Southwest, this morning. Sir Henry Campbell-Bannerman, because of his exalted position in the affairs of the government of Great Britain, has been so prominent in the political life of the world that his most recent work and his accomplishments during the closing years of his career need not be detailed. He was a busy life and coupled with activity, was a strength of purpose, of personality that kept him constantly in the public eye.

Sir Henry was Prime Minister, and first Lord of the Treasury, since 1905. He was born in 1836, being the son of the late Sir James Campbell, of Stracathro, Forfarshire. He subsequently assumed the additional name of Bannerman under the will of his maternal uncle, the late Henry Bannerman, of Hutton Court, Kent, who left his nephew a great fortune. The future premier was educated at Glasgow University and at Trinity College, Cambridge, and almost immediately entered upon his present career. He served as financial secretary to the war office from 1871 to 1874, and from 1880 to 1882; was secretary to the admiralty from 1882 to 1884; was chief secretary for Ireland from 1884 to 1885, and secretary of state for war in 1886 and from 1892 to 1895. When Sir William Harcourt dropped

Verdict in Favor of Schooner Owner.

NORFOLK, VA., April 22—In the suit of the Marshall Towboat Company against the schooner George W. Anderson, of Richmond, in which the libellant sought to recover \$200 advanced to the captain of the Anderson without authority from the owner, Judge Waddill today gave a verdict for the Richmond owners, dismissing the libel.

Bishop Capers is Dead.

COLUMBIA, S. C., April 22—Bishop Ellison Capers, of the Protestant Episcopal diocese of South Carolina, died at his home in this city at 2:30 p. m., today. Bishop Capers had been in feeble health for many months and for several days had been sinking gradually.

CONGRESSMAN IN BAD TROLLEY CAR COLLISION

Score of Passengers Were Injured in Rear End Wreck on Washington Line.

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A heavy Mount Pleasant car was speeding rapidly behind a Georgetown car and the motorman of the former, claiming the accident was caused by the brakes of his car refusing to work.

Benjamin F. Oden, private secretary to Representative Flood, of Virginia, was among those shaken up by the accident.

Frederick L. Trowbridge, of New York, manager of the New England Conservatory of Music, at Boston, was a passenger on the Georgetown car, but escaped serious injury.

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Failure of the reverse lever on the engine to operate allowed the train to run away. With one flat car attached the engine gained a terrific speed, and was derailed by a safety switch. The engine was not badly damaged, but the car was demolished. Twenty-five Italians were on the car.

The accident occurred at 8:15 o'clock this morning. The engine and one car started up the mountain with the foreigners from Whalen. They were on their way to the woods to work in a lumber camp. When the top of a steep grade was reached the engineer attempted to reverse his engine, but the mechanism refused to work and the locomotive and car started down the grade. Engineer Stillier jumped and yelled to the Italians to jump for their lives. Fireman Roy Lyons remained at his post and was uninjured.

Prohibition in Louisiana.

NEW ORLEANS, LA., April 22—Later returns from yesterday's license elections indicate that St. Landry and Acadia parishes have joined the prohibition column. Two other prohibition fights developed in the election in West Feliciana and Concordia parishes, both voting against prohibition.

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President Roosevelt today signed the employers' liability bill upon the opinion of Attorney General Bonaparte that the measure was constitutional. The bill makes railroads or other common carriers, while engaged in interstate commerce, liable for the injury or death of an employee, if (1) injury or death results in whole or in part from the negligence of any of the officers, agents or employees of such carriers; or by reason of any defect or insufficiency in equipment. This provision is made applicable also to carriers in the territories, the District of Columbia, Panama canal zone and other possessions of the United States.

It is provided in any action brought under the provisions of the bill the injured employee shall not be held to have assumed the risk of his employment in any case where the violation by the carrier of any statute enacted for the safety of employees contributing to the injury or death of the employee. Any contract rule regulation or device to enable the carrier to exempt itself from liability under the act is rendered void by a specific declaration to that end. Provision is made, however, that the carrier shall receive credit for any contribution made to an employee or his family in the form of insurance, relief benefit or indemnity. An action for the recovery of damages must be commenced within two years from the date of the cause of the suit.

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PRESIDENT WAVES BIG STICK OVER CONGRESS

Will Veto Entire Naval Bill Unless There is an Appropriation for Battleships.

HOUSE BILL SCREAMING FARGE

President Much Incensed Over the Way He Has Been Treated and the Senate Will Make the Desired Change Today—Gives up Fight for Four Battleships.

(By Associated Press) WASHINGTON, D. C., April 22—

President Roosevelt will veto the naval appropriation bill should the Senate, as did the House, fail to make any appropriation for the two battleships which are authorized in that measure. The prompt announcement of this fact to Senate leaders tonight is regarded as responsible for the announcement by Mr. Hale that he should propose an amendment appropriating \$7,000,000 toward the construction of the ships.

The President stated his position on this point with especial emphasis and suddenness today upon learning that the bill as passed by the House was simply a paper provision for naval increase authorization of the ships was made, but no money carried to make the provision effective. Such legislation as this, the President made known to his numerous congressional callers, was a travesty as to effectiveness, as well as bearing all the earmarks of legislative legerdemain, intended to make ridiculous his campaign for the greater navy. That the President's quick and vigorous action is to be effective is evidenced in the action of Chairman Hale, of the Senate naval committee, in announcing that at the proper time he will propose the \$7,000,000 amendment. As to his threat to veto the President made plain that should the wisdom of Congress result in the passage of a bill providing for no naval increase he would have no ground on which to veto the measure. Any attempts at what he regards as a travesty on legislation by authorized, but not appropriated for ships, he declared he will defeat the bill by the exercise of his constitutional power. There is not the slightest doubt that the President ceased his fight for four new battleships according to the evidence of senators who talked with him today.

Senators who are with the President in his fight on this proposition admit tonight that a careful survey of their strength in the Senate gives a vote of 26 in that body for the four ships. Significance is attached to this poll of the Senate in that it is said to show