

State Historical Library

## McParland's Student

### Orchard, the Star Witness, Recites His Piece—Escorted From Penitentiary by Warden's Family

Boise, June 6. Tuesday evening, with the utmost secrecy and care, Orchard was brought in from the state penitentiary and lodged in Attorney Hawley's law office where he passed the night on a leather lounge. He was driven into town in a two-seated carriage, himself and Mrs. Warden Whitney occupying the rear seat, and the warden and his daughter sitting in front. The warden was armed with a short-barreled rifle.

Behind him came another carriage containing a number of guards who with other officers guarded the building all night long.

The entry into court of the murderous villain who has been held in the state penitentiary a year and a half for his many crimes, was dramatic. The morning papers had spread throughout the town the news that he had been brought in the night before, and the court room was jammed.

After the other witnesses had testified there was a lull of some ten or fifteen minutes, and then Harry Orchard was called. He entered the court room with guards before and behind him, expert gun-men, the thugs of the northwest. Jack Meldrum was one, ex-convict, with his conscience only knows how many murders to his name. He took up his stand by the main doors where three other guards were stationed. The court room made one think of a military siege. All the entrances were double guarded. Two brawny guards sit at the railing gate immediately behind Orchard, and immediately beside two dangerous socialists, your correspondent on the one side, and Appeal Shoaf on the other. Orchard passes through the crowd with a rapid step. Perhaps he has acquired the habit of thinking that delays are dangerous.

Odd or freakish looking persons were searched before being allowed in the court room. All packages were searched and taken away. Even the bag of Wade Parks was confiscated, and he was not allowed to enter the court room with it.

Orchard looks neat, well-dressed in gray and well kept. But his face is certainly one of the most repulsive countenances that one is ever called to gaze upon. It is the face of a man without a soul, of one who has never known the call of the higher and nobler impulses. He is a man who would do anything for almost any consideration. He is of the born criminal type—with a certain intelligence to enable him to carry out his crimes, but not enough to enable him to successfully cover them up.

He bore a certain tremulous aspect at first as though he realized the unusual and abnormal role he was about to assume.

Haywood eyed him intently when he entered and during his entire testimony.

The capitalist papers take great delight in spreading around how nervous Haywood is, and how the testimony is visibly affecting him. Such reports are entirely untrue. He is calm and self-possessed, consults constantly with his attorneys, and shows no signs of flinching whatever. He is a little pale and worn from the long ordeal, and that is all. And he certainly is not shivering before Harry Orchard.

Orchard's testimony was simply a repetition of what has already been published as his confession, and which he repeated as one who had learned a lesson well. Hawley led the way for him with questions—so much so that Attorney Richardson accused him of testifying instead of the witness. He said his real name was Albert Horseley, and that he was born on a farm in Colorado.

He told about coming to Idaho, working in the mines at Burke, joining the Federation, assisting in stealing a train during a strike there and blowing up the Bunker Hill and Sullivan mill, under the instructions of W. P. Davis, a union official.

After this the troops were ordered into the Coeur d'Alenes.

In telling his tale Orchard stated that since Steunenberg had been elected

as the "peoples' governor, the miners believed that they would have no opposition from the governor and only need fear the federal authorities.

Orchard then wandered around the country for a number of years working first here, then there like the rest of the working class. As he told of his wanderings as a wage slave one could trace the economic cause for his lapsing into well-paid crime. It was easier and more interesting than working.

He told of working in the Cripple Creek district, and of his plans with Federation officials to commit numberless crimes. How he was offered \$200 to blow up the level of the Vindicator mine where the scabs were working and how the superintendent and boss were killed; of the arrangements for paying the money over; how he quit working and devoted himself to deeds of darkness. He implicated numbers of Federation men, telling continually of the orders he received from Moyer and Haywood.

He told of wrecking a Cripple Creek train, and it was hard to get his money for the job, so he decided to turn informer, and went to D. C. Scott, the famous detective employed by the railroad. This man is one of the greatest scoundrels that ever hounded the working class.

Then came the stories of the plots of Moyer, Haywood, Pettibone, Simpkins, Orchard, Steve Adams and others to kill Governor Peabody, and of the manufacturing of bombs in Pettibone's store; of how Orchard and Adams killed Lyle Gregory, a detective; how they blew up the Independence depot; how he went to California and blew up Bradley who was president of the company in the Coeur d'Alenes during the trouble. The gruesome tale then went on to tell of attempts on the lives of Judges Gedlard and Gabbert in Denver, giving as a reason that as these men returned decisions against the working class, and they could get no justice they must take the law in their own hands.

Details were gone into as to the making of bombs, and one of the infernal machines was presented as an exhibit. And then the tale came down to the Caldwell affair, varying no whit from what has been published.

One of the assertions made was that Dave Coates proposed the kidnapping of one of August Carlson's children, and said a large sum could be realized that way.

Another was that the Federation ring proposed to kill Steunenberg, and then send a man back to Patterson, New Jersey, the anarchist stronghold, to write threatening letters to others high in authority.

Orchard was a day and a half giving his testimony. The performance was a psychological study. The man has woefully missed his calling. He should have been a second Conan Doyle. Sherlock Holmes isn't in it beside him.

The defense took him for cross examination about the middle of Thursday afternoon.

Mr. Richardson brought out that he was a bigamist, changed his name the first time he left home, deserted his own wife and child, and ran off with another man's wife. He admitted he told a string of lies to Pettibone about his antecedents.

When one reads the testimony of Orchard, how he claims he murdered for money, the question arises, How much is he being paid to railroad Moyer, Haywood and Pettibone to the scaffold?

The unborn can have and shall have no special property rights. In other words, it is absolutely unjust that the present generation should continue to be plundered and robbed in order that certain unborn individuals shall be born rich, shall be born with such legal claims upon their fellow-men that while supplied with all the necessities, comforts, and luxuries of life they need no useful work in return."—Alfred Russell Wallace in The Arena.

## Conspiracy Unfolded

### Prosecution in Opening Statement to Jury Shows Trial Is for Purpose of Destroying Miners' Union

Boise, June 6. Immediately after Attorney Hawley's opening statement, the taking of testimony commenced. Nine witnesses were called to testify to the manner and method of Governor Steunenberg's death. These were C. T. Wayne, the man first on the scene, who lived about 125 feet from Governor Steunenberg's home. Dr. Gue, the physician, Attorney John C. Rice, a near neighbor, who testified to having seen Orchard, alias Thomas Hogan, around the Steunenberg home; M. S. Ellis, a carpenter, who gave about the same testimony; M. A. Ballantyne, a Caldwell merchant, who identified Orchard as Hogan; and Julian Steunenberg, son of the dead man, who had held a conversation with Hogan as to when his father would be home.

L. J. Bowman had met Hogan at the Pacific Hotel in Caldwell where he was stopping with Jack Simpkins under the name of Simmons. This witness identified a picture of Simpkins as the man he knew as Simmons.

James Russel also testified on this line as did Steve Dempsey, who kept the hotel. The hotel register was produced as evidence. The defense attorneys did very little cross-examining, and then only to ask the witnesses if they had noticed a tendency in Orchard to conceal any of his acts, and if on the other hand there was not a tendency for publicity. The witnesses admitted that there was no attempt at concealment.

This human beast who has probably been a Pinkerton in the employ of the mine owners all the time seeking to corrupt Federation men had no reason to shun publicity. He knew he would be protected.

Several witnesses not being on hand that the state desired, court was adjourned at three o'clock.

Wednesday morning three hotel keepers were called, J. M. Brunzell, A. Hickey and John Corsons from Nampa and Silver City, who testified to Hogan and Simpkins being at their houses on certain dates, and the registers produced. C. H. Wentz, who worked in the Warden bank, identified Simpkins' handwriting.

Guy Feight was another witness on identification. The attorneys for the defense did not cross-examine.

Boise, June 7. Tuesday morning court opened with the opening statement by the prosecution made by John Hawley, leading attorney for the state.

The bustle attending the court proceedings gives unmistakable evidences that the great trial is at last under way. The court room is crowded at every session; and indeed it is a mad rush by the public to obtain a chance for a place in the court room. Long before the doors are open the crowd packs the stairways down into the court house yard. When the doors are opened by the guards the court room is rapidly filled and then the doors are closed to all except members of the press and those who have special business in their attendance on court.

The room is heavily guarded. The chief of police with several guards stands at the entrance. Sheriff Hodgins and his deputies are omnipresent.

Senator Borah, the prime minister of the capitalist class in this display of force and legalized authority over the working class, is ever watchful, misses nothing, permits no detail to escape him. He is around the clerk, the judge, the stenographers. This trial will make or unmake Borah. He is called now "Idaho's favored son." He holds about the position in Idaho that Dixon does in Montana. These are the young men that are called the Roosevelt men. They represent the new plutocratic control.

If Borah succeeds in breaking up the

Western Federation of Miners he will be the darling of the Standard Oil interests throughout the Rocky Mountain region. Borah is playing for high stakes in the division of the surplus.

Mrs. Steve Adams and Mrs. Pettibone attend court together—two handsome women, handsomely dressed. Mrs. Moyer's sister is usually with them, a charming and dainty young girl. Mrs. Moyer has not yet appeared in court. Haywood's mother, Mrs. Caruthers, has arrived from Salt Lake with her daughter, a very pretty young girl of about twenty. The mother is a handsome woman who carries herself well, and has a sweet expression on her face. They do not seem unduly agitated over the situation. They are upheld by the idea that it is all simply the part of a play in a great conspiracy.

The Haywood family are in court every day. Mrs. Haywood's father, Mr. Miner, is here from Nevada, also Mr. McKinnon, one of the Federation boys, who married her sister Winnie.

Hawley's statement to the jury was brief and simple. He gave a eulogy to Ex-Governor Steunenberg. He said the state did not expect to prove that the crime was committed personally by the defendant. But under the statute accessories before the fact were treated as principals. They rendered assistance to the real perpetrator. The state intended to show collusion between the leaders of the union and other persons. He made a deliberate and vicious attack on workers' organizations, and the right of working men to organize. He emphasized the fact that the real power of the Western Federation was in its president and secretary. Conventions were only held once a year, and a few men were in control, and these leaders were responsible for scores of deaths.

Here Darrow objected vigorously to any such statement. The court overruled, and Mr. Hawley continued.

But the greatest of all the heinous crimes he charged the Western Federation with was the fact that it wished to control politics, and dominate the government in the states where its unions were organized. This is always the arch crime of which the working class can be guilty through the ages.

Darrow registered strenuous objections to these assertions.

Finally Mr. Hawley became angry, and said the state was not trying that case to suit the defense, thank God, and a spirited and personal court fight ensued. Each accused the one of trespassing upon the prerogative of the other. When Mr. Hawley resumed, he accused the "inner circle" of having left a trail of blood behind it, of being a menace to life and property, and of having squandered large sums of money on themselves. The killing of Steunenberg was only an incident in the murderous campaign of the Federation. Pettibone was the guide, counselor and friend of the "inner circle."

The prosecuting attorney went into the difficulties in the Coeur d'Alenes, and lauded the actions of Steunenberg. He took especial pains to show that Harry Orchard was not in the bull-pen at that time, so could have no personal reasons for killing Steunenberg. He asserted that there was a scale of wages for different crimes, and that Harry Orchard and Steve Adams were the chief instruments of death.

There was absolutely nothing new in the speech. It was simply a rehash of the Harry Orchard "confession" of which the world is already sickened. Nothing was said about the Western Federation being an insurrectionary organization. It was simply a pitiful exhibition of capitalism attempting to defend its rotten enterprises in a "dignified and respectable" way, and falling hopelessly flat as usual.

## The Arch Criminal

### Orchard Admits He Was on Friendly Terms with Detectives During the Colorado War

Boise, June 8. The cross examination of Orchard goes forward relentlessly. This man has certainly condemned himself out of his own mouth as the arch criminal of the age. And what information he has not volunteered the defense attorneys have disclosed as already in their possession during the cross examination. Already he is branded as

- Bigamist,
- Highgrader or ore thief,
- Gambler,
- Powder thief,
- Incendiary,
- Murderer.

He tells his tale coolly and quietly as one who has his lesson well learned. Mr. Richardson brought out that he had written the story of his life during the past year and had gone over it many times. Mr. Richardson was led to ask in regard to this by the circumstance of Attorney Hawley on the direct examination continually prompting Orchard to continue his "narrative," or "go on" and recite.

The murderer refused to admit that McParland had supervised and corrected the story. But he confessed under the merciless questioning that he was meeting McParland continually between the court sessions. He gave evidence in all his answers of the most careful coaching and encouragement.

Orchard is the central figure in one of the most daring games ever played in history by a ruling class to fetter the manacles on its slaves. All the powers of established control are marshalled to protect this anti-social beast, giving the most abandoned confession of his misdeeds. Borah and Hawley guard every move against him like the watch-dogs at the gates of hell. He is a precious charge of infinite value to capitalism and its profits, and the conditions of production through which its profits are made.

Capitalism has the best and the worst products of its system, which rules the world. It is the lowest dregs of human vitiation, like Orchard, that support its sanctity and culture. All that capitalism's favored sons are able to accomplish is done by the iron heel on the neck of the man that makes the product by which results are accomplished.

The Western Federation is moving in aggressive rebellion against conditions that subordinate and make labor inferior. If any individuals should have all that earth can give it is those who do the work. But if these had the joys that they have produced the capitalist system of special privileges would be shattered. The capitalist rushes to defend his dear privileges with the mad instinct of self-preservation. Orchard has been found a willing instrument in the hand of established injustice to grind to powder those who dare assail vested wrongs.

It will be interesting to see what becomes of Orchard. It is safe to say that not a hair of his head will ever be harmed. He walks secure amid his enemies, among the men whose lives he seeks like a human hyena, surrounded by what his guardians consider the greatest dangers through the exaggerated care they take to provide against any possible harm to this darling of the gods of mammon.

\$100,000 presented to him would be a cheap way of crushing the Federation. These profits would be made in less than a week if the great union were out of the way so that wages could be lowered to \$2.50 a day.

Only the socialist analysis of social products can correctly dissect a character like Orchard's. He is a highly specialized example of misdirected energy. The same activity which he has displayed in committing his atrocious crimes would have made a good and successful man if applied along other lines. But he was uneducated and forced to the narrow and uncongenial sphere of labor.

Labor troubles presented the opportunity of making himself useful and associating with those "above" his class. A life of excitement and intrigue was more interesting than work. How fascinating is the prospect of life and money without brutal work, espec-

ially to one who has no qualifications that would lift him out of the laborer's curse.

Even where Harry Orchard is concerned society is the great criminal.

The Haywood family, in spite of the attitude of bravery and courage on the part of all its members begins to show signs of great uneasiness and strain as the gruesome details are brought out. Vernie sits with the tears welling into her eyes, which she keeps wiping away. Mrs. Haywood's face shows oppressed mental suffering. The court room looks like a military camp in all except the uniforms. The doorways are now triple guarded. Thiele, detective superintendent, stands in front of the main entrance with the warden of the penitentiary and an enormous bull-dog looking guard. Other guards from the penitentiary, Colorado gun-men and deputies under Sheriff Hodgins, all big six-footers, are seated through and about the court room.

Bulkeley Wells, adjutant general of Colorado, and the man who was the most lawless pursuer of the union men in Telluride, superintendent of the Smuggler Union mine, the man who rode at the head of the troops when they came in there and simply pointed out the union men whom he wanted arrested, is in the court room continually.

It seems when engaged in the wood business in the Coeur d'Alenes country Orchard became involved because of his predilection for poker, and the examination has brought out that he has been much given to gambling throughout his entire career.

After the troubles in the Coeur d'Alenes and numerous wanderings Orchard joined the union at Altman, Colorado, No. 19. The examination on his experiences in the Cripple Creek district disclosed the fact that he was the first instigator of the blowing up of the Vindicator mine, as he had done the job in Warden, Idaho.

When asked why the union men wished to resort to these alleged crimes and why he would participate in them he said the militia were in the country and were running the men all around from one place to another, and it made a man feel as though he were willing to do anything.

Richardson brought out the fact, and Orchard assented to it, of Moyer and Haywood both being up at Cripple Creek during the strike at a large union picnic, and how the both spoke for peace, warned the men against all disorder, gambling and hanging around saloon, exhorted them particularly against violence, and said any such was always laid to the union men in time of strike, and was just what the capitalists wanted as an excuse for calling in the troops.

A dramatic scene occurred when Orchard made a statement implicating Will Easterly, one who has been much in official positions in the Western Federation, and has been especially Mrs. Haywood's body guard since she has been in Boise. Richardson asked if Easterly was in the court room, and on his rising requested him to come forward. As he did so the attorney asked Orchard to identify him which he did. Easterly smiled quietly, evidently not at all alarmed with the tool of the mine owners' attempt to connect him with his diabolical crimes. Orchard admitted that the reason Easterly did not assist in the Vindicator explosion was because he refused to have anything to do with the job.

The examination disclosed that Orchard married Mrs. Toney at Altman although he already had a wife. Mrs. Toney is to be here as a witness for the defense, and will swear that Orchard told her he was a Pinkerton detective. He afterwards deserted this woman.

When asked as to his association with Scott, the railroad detective, he said he was miffed because he did not get the money for his attempted jobs, and that he was also jealous because he was not employed to wreck the train, after he had done as much as he had.

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After the other witnesses had testified there was a lull of some ten or fifteen minutes, and then Harry Orchard was called. He entered the court room with guards before and behind him, expert gun-men, the thugs of the northwest. Jack Meldrum was one, ex-convict, with his conscience only knows how many murders to his name. He took up his stand by the main doors where three other guards were stationed. The court room made one think of a military siege. All the entrances were double guarded. Two brawny guards sit at the railing gate immediately behind Orchard, and immediately beside two dangerous socialists, your correspondent on the one side, and Appeal Shoaf on the other. Orchard passes through the crowd with a rapid step. Perhaps he has acquired the habit of thinking that delays are dangerous.

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He told about coming to Idaho, working in the mines at Burke, joining the Federation, assisting in stealing a train during a strike there and blowing up the Bunker Hill and Sullivan mill, under the instructions of W. P. Davis, a union official.

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## The Arch Criminal

### Orchard Admits He Was on Friendly Terms with Detectives During the Colorado War

Boise, June 8. The cross examination of Orchard goes forward relentlessly. This man has certainly condemned himself out of his own mouth as the arch criminal of the age. And what information he has not volunteered the defense attorneys have disclosed as already in their possession during the cross examination. Already he is branded as

- Bigamist,
- Highgrader or ore thief,
- Gambler,
- Powder thief,
- Incendiary,
- Murderer.

He tells his tale coolly and quietly as one who has his lesson well learned. Mr. Richardson brought out that he had written the story of his life during the past year and had gone over it many times. Mr. Richardson was led to ask in regard to this by the circumstance of Attorney Hawley on the direct examination continually prompting Orchard to continue his "narrative," or "go on" and recite.

The murderer refused to admit that McParland had supervised and corrected the story. But he confessed under the merciless questioning that he was meeting McParland continually between the court sessions. He gave evidence in all his answers of the most careful coaching and encouragement.

Orchard is the central figure in one of the most daring games ever played in history by a ruling class to fetter the manacles on its slaves. All the powers of established control are marshalled to protect this anti-social beast, giving the most abandoned confession of his misdeeds. Borah and Hawley guard every move against him like the watch-dogs at the gates of hell. He is a precious charge of infinite value to capitalism and its profits, and the conditions of production through which its profits are made.

Capitalism has the best and the worst products of its system, which rules the world. It is the lowest dregs of human vitiation, like Orchard, that support its sanctity and culture. All that capitalism's favored sons are able to accomplish is done by the iron heel on the neck of the man that makes the product by which results are accomplished.

The Western Federation is moving in aggressive rebellion against conditions that subordinate and make labor inferior. If any individuals should have all that earth can give it is those who do the work. But if these had the joys that they have produced the capitalist system of special privileges would be shattered. The capitalist rushes to defend his dear privileges with the mad instinct of self-preservation. Orchard has been found a willing instrument in the hand of established injustice to grind to powder those who dare assail vested wrongs.

It will be interesting to see what becomes of Orchard. It is safe to say that not a hair of his head will ever be harmed. He walks secure amid his enemies, among the men whose lives he seeks like a human hyena, surrounded by what his guardians consider the greatest dangers through the exaggerated care they take to provide against any possible harm to this darling of the gods of mammon.

\$100,000 presented to him would be a cheap way of crushing the Federation. These profits would be made in less than a week if the great union were out of the way so that wages could be lowered to \$2.50 a day.

Only the socialist analysis of social products can correctly dissect a character like Orchard's. He is a highly specialized example of misdirected energy. The same activity which he has displayed in committing his atrocious crimes would have made a good and successful man if applied along other lines. But he was uneducated and forced to the narrow and uncongenial sphere of labor.

Labor troubles presented the opportunity of making himself useful and associating with those "above" his class. A life of excitement and intrigue was more interesting than work. How fascinating is the prospect of life and money without brutal work, espec-

ially to one who has no qualifications that would lift him out of the laborer's curse.

Even where Harry Orchard is concerned society is the great criminal.

The Haywood family, in spite of the attitude of bravery and courage on the part of all its members begins to show signs of great uneasiness and strain as the gruesome details are brought out. Vernie sits with the tears welling into her eyes, which she keeps wiping away. Mrs. Haywood's face shows oppressed mental suffering. The court room looks like a military camp in all except the uniforms. The doorways are now triple guarded. Thiele, detective superintendent, stands in front of the main entrance with the warden of the penitentiary and an enormous bull-dog looking guard. Other guards from the penitentiary, Colorado gun-men and deputies under Sheriff Hodgins, all big six-footers, are seated through and about the court room.

Bulkeley Wells, adjutant general of Colorado, and the man who was the most lawless pursuer of the union men in Telluride, superintendent of the Smuggler Union mine, the man who rode at the head of the troops when they came in there and simply pointed out the union men whom he wanted arrested, is in the court room continually.

It seems when engaged in the wood business in the Coeur d'Alenes country Orchard became involved because of his predilection for poker, and the examination has brought out that he has been much given to gambling throughout his entire career.

After the troubles in the Coeur d'Alenes and numerous wanderings Orchard joined the union at Altman, Colorado, No. 19. The examination on his experiences in the Cripple Creek district disclosed the fact that he was the first instigator of the blowing up of the Vindicator mine, as he had done the job in Warden, Idaho.

When asked why the union men wished to resort to these alleged crimes and why he would participate in them he said the militia were in the country and were running the men all around from one place to another, and it made a man feel as though he were willing to do anything.

Richardson brought out the fact, and Orchard assented to it, of Moyer and Haywood both being up at Cripple Creek during the strike at a large union picnic, and how the both spoke for peace, warned the men against all disorder, gambling and hanging around saloon, exhorted them particularly against violence, and said any such was always laid to the union men in time of strike, and was just what the capitalists wanted as an excuse for calling in the troops.

A dramatic scene occurred when Orchard made a statement implicating Will Easterly, one who has been much in official positions in the Western Federation, and has been especially Mrs. Haywood's body guard since she has been in Boise. Richardson asked if Easterly was in the court room, and on his rising requested him to come forward. As he did so the attorney asked Orchard to identify him which he did. Easterly smiled quietly, evidently not at all alarmed with the tool of the mine owners' attempt to connect him with his diabolical crimes. Orchard admitted that the reason Easterly did not assist in the Vindicator explosion was because he refused to have anything to do with the job.

The examination disclosed that Orchard married Mrs. Toney at Altman although he already had a wife. Mrs. Toney is to be here as a witness for the defense, and will swear that Orchard told her he was a Pinkerton detective. He afterwards deserted this woman.

When asked as to his association with Scott, the railroad detective, he said he was miffed because he did not get the money for his attempted jobs, and that he was also jealous because he was not employed to wreck the train, after he had done as much as he had.

State Historical Library

## McParland's Student

### Orchard, the Star Witness, Recites His Piece—Escorted From Penitentiary by Warden's Family

Boise, June 6. Tuesday evening, with the utmost secrecy and care, Orchard was brought in from the state penitentiary and lodged in Attorney Hawley's law office where he passed the night on a leather lounge. He was driven into town in a two-seated carriage, himself and Mrs. Warden Whitney occupying the rear seat, and the warden and his daughter sitting in front. The warden was armed with a short-barreled rifle.

Behind him came another carriage containing a number of guards who with other officers guarded the building all night long.

The entry into court of the murderous villain who has been held in the state penitentiary a year and a half for his many crimes, was dramatic.

The morning papers had spread throughout the town the news that he had been brought in the night before, and the court room was jammed.

After the other witnesses had testified there was a lull of some ten or fifteen minutes, and then Harry Orchard was called. He entered the court room with guards before and behind him, expert gun-men, the thugs of the northwest. Jack Meldrum was one, ex-convict, with his conscience only knows how many murders to his name. He took up his stand by the main doors where three other guards were stationed. The court room made one think of a military siege. All the entrances were double guarded. Two brawny guards sit at the railing gate immediately behind Orchard, and immediately beside two dangerous socialists, your correspondent on the one side, and Appeal Shoaf on the other. Orchard passes through the crowd with a rapid step. Perhaps he has acquired the habit of thinking that delays are dangerous.

Odd or freakish looking persons were searched before being allowed in the court room. All packages were searched and taken away. Even the bag of Wade Parks was confiscated, and he was not allowed to enter the court room with it.

Orchard looks neat, well-dressed in gray and well kept. But his face is certainly one of the most repulsive countenances that one is ever called to gaze upon. It is the face of a man without a soul, of one who has never known the call of the higher and nobler impulses. He is a man who would do anything for almost any consideration. He is of the born criminal type—with a certain intelligence to enable him to carry out his crimes, but not enough to enable him to successfully cover them up.

He bore a certain tremulous aspect at first as though he realized the unusual and abnormal role he was about to assume.

Haywood eyed him intently when he entered and during his entire testimony.

The capitalist papers take great delight in spreading around how nervous Haywood is, and how the testimony is visibly affecting him. Such reports are entirely untrue. He is calm and self-possessed, consults constantly with his attorneys, and shows no signs of flinching whatever. He is a little pale and worn from the long ordeal, and that is all. And he certainly is not shivering before Harry Orchard.

Orchard's testimony was simply a repetition of what has already been published as his confession, and which he repeated as one who had learned a lesson well. Hawley led the way for him with questions—so much so that Attorney Richardson accused him of testifying instead of the witness. He said his real name was Albert Horseley, and that he was born on a farm in Colorado.

He told about coming to Idaho, working in the mines at Burke, joining the Federation, assisting in stealing a train during a strike there and blowing up the Bunker Hill and Sullivan mill, under the instructions of W. F. Davis, a union official.

After this the troops were ordered into the Coeur d'Alenes.

In telling his tale Orchard stated that since Steunenberg had been elected

as the "peoples' governor, the miners believed that they would have no opposition from the governor and only need fear the federal authorities.

Orchard then wandered around the country for a number of years working first here, then there like the rest of the working class. As he told of his wanderings as a wage slave one could trace the economic cause for his lapsing into well-paid crime. It was easier and more interesting than working.

He told of working in the Cripple Creek district, and of his plans with Federation officials to commit numberless crimes. How he was offered \$200 to blow up the level of the Vindicator mine where the scabs were working and how the superintendent and boss were killed; of the arrangements for paying the money over; how he quit working and devoted himself to deeds of darkness. He implicated numbers of Federation men, telling continually of the orders he received from Moyer and Haywood.

He told of wrecking a Cripple Creek train, and it was hard to get his money for the job, so he decided to turn informer, and went to D. C. Scott, the famous detective employed by the railroad. This man is one of the greatest scoundrels that ever hounded the working class.

Then came the stories of the plots of Moyer, Haywood, Pettibone, Simpkins, Orchard, Steve Adams and others to kill Governor Peabody, and of the manufacturing of bombs in Pettibone's store; of how Orchard and Adams killed Lyle Gregory, a detective; how they blew up the Independence depot; how he went to California and blew up Bradley who was president of the company in the Coeur d'Alenes during the trouble. The gruesome tale then went on to tell of attempts on the lives of Judges Gedlard and Gabbert in Denver, giving as a reason that as these men returned decisions against the working class, and they could get no justice they must take the law in their own hands.

Details were gone into as to the making of bombs, and one of the infernal machines was presented as an exhibit. And then the tale came down to the Caldwell affair, varying no whit from what has been published.

One of the assertions made was that Dave Coates proposed the kidnapping of one of August Carlson's children, and said a large sum could be realized that way.

Another was that the Federation ring proposed to kill Steunenberg, and then send a man back to Patterson, New Jersey, the anarchist stronghold, to write threatening letters to others high in authority.

Orchard was a day and a half giving his testimony. The performance was a psychological study. The man has woefully missed his calling. He should have been a second Conan Doyle. Sherlock Holmes isn't in it beside him.

The defense took him for cross examination about the middle of Thursday afternoon.

Mr. Richardson brought out that he was a bigamist, changed his name the first time he left home, deserted his own wife and child, and ran off with another man's wife. He admitted he told a string of lies to Pettibone about his antecedents.

When one reads the testimony of Orchard, how he claims he murdered for money, the question arises, How much is he being paid to railroad Moyer, Haywood and Pettibone to the scaffold?

The unborn can have and shall have no special property rights. In other words, it is absolutely unjust that the present generation should continue to be plundered and robbed in order that certain unborn individuals shall be born rich, shall be born with such legal claims upon their fellow-men that while supplied with all the necessities, comforts, and luxuries of life they need no useful work in return."—Alfred Russell Wallace in The Arena.

## Conspiracy Unfolded

### Prosecution in Opening Statement to Jury Shows Trial Is for Purpose of Destroying Miners' Union

Boise, June 6. Immediately after Attorney Hawley's opening statement, the taking of testimony commenced. Nine witnesses were called to testify to the manner and method of Governor Steunenberg's death. These were C. T. Wayne, the man first on the scene, who lived about 125 feet from Governor Steunenberg's home. Dr. Gue, the physician, Attorney John C. Rice, a near neighbor, who testified to having seen Orchard, alias Thomas Hogan, around the Steunenberg home; M. S. Ellis, a carpenter, who gave about the same testimony; M. A. Ballantyne, a Caldwell merchant, who identified Orchard as Hogan; and Julian Steunenberg, son of the dead man, who had held a conversation with Hogan as to when his father would be home.

L. J. Bowman had met Hogan at the Pacific Hotel in Caldwell where he was stopping with Jack Simpkins under the name of Simmons. This witness identified a picture of Simpkins as the man he knew as Simmons.

James Russel also testified on this line as did Steve Dempsey, who kept the hotel. The hotel register was produced as evidence. The defense attorneys did very little cross-examining, and then only to ask the witnesses if they had noticed a tendency in Orchard to conceal any of his acts, and if on the other hand there was not a tendency for publicity. The witnesses admitted that there was no attempt at concealment.

This human beast who has probably been a Pinkerton in the employ of the mine owners all the time seeking to corrupt Federation men had no reason to shun publicity. He knew he would be protected.

Several witnesses not being on hand that the state desired, court was adjourned at three o'clock.

Wednesday morning three hotel keepers were called, J. M. Brunzell, A. Hickey and John Corsons from Nampa and Silver City, who testified to Hogan and Simpkins being at their houses on certain dates, and the registers produced. C. H. Wentz, who worked in the Warden bank, identified Simpkins' handwriting.

Guy Feight was another witness on identification. The attorneys for the defense did not cross-examine.

Boise, June 7. Tuesday morning court opened with the opening statement by the prosecution made by John Hawley, leading attorney for the state.

The bustle attending the court proceedings gives unmistakable evidences that the great trial is at last under way. The court room is crowded at every session; and indeed it is a mad rush by the public to obtain a chance for a place in the court room. Long before the doors are open the crowd packs the stairways down into the court house yard. When the doors are opened by the guards the court room is rapidly filled and then the doors are closed to all except members of the press and those who have special business in their attendance on court.

The room is heavily guarded. The chief of police with several guards stands at the entrance. Sheriff Hodgins and his deputies are omnipresent.

Senator Borah, the prime minister of the capitalist class in this display of force and legalized authority over the working class, is ever watchful, misses nothing, permits no detail to escape him. He is around the clerk, the judge, the stenographers. This trial will make or unmake Borah. He is called now "Idaho's favored son." He holds about the position in Idaho that Dixon does in Montana. These are the young men that are called the Roosevelt men. They represent the new plutocratic control.

If Borah succeeds in breaking up the

Western Federation of Miners he will be the darling of the Standard Oil interests throughout the Rocky Mountain region. Borah is playing for high stakes in the division of the surplus.

Mrs. Steve Adams and Mrs. Pettibone attend court together—two handsome women, handsomely dressed. Mrs. Moyer's sister is usually with them, a charming and dainty young girl. Mrs. Moyer has not yet appeared in court. Haywood's mother, Mrs. Caruthers, has arrived from Salt Lake with her daughter, a very pretty young girl of about twenty. The mother is a handsome woman who carries herself well, and has a sweet expression on her face. They do not seem unduly agitated over the situation. They are upheld by the idea that it is all simply the part of a play in a great conspiracy.

The Haywood family are in court every day. Mrs. Haywood's father, Mr. Miner, is here from Nevada, also Mr. McKinnon, one of the Federation boys, who married her sister Winnie.

Hawley's statement to the jury was brief and simple. He gave a eulogy to Ex-Governor Steunenberg. He said the state did not expect to prove that the crime was committed personally by the defendant. But under the statute accessories before the fact were treated as principals. They rendered assistance to the real perpetrator. The state intended to show collusion between the leaders of the union and other persons. He made a deliberate and vicious attack on workers' organizations, and the right of working men to organize. He emphasized the fact that the real power of the Western Federation was in its president and secretary. Conventions were only held once a year, and a few men were in control, and these leaders were responsible for scores of deaths.

Here Darrow objected vigorously to any such statement. The court overruled, and Mr. Hawley continued.

But the greatest of all the heinous crimes he charged the Western Federation with was the fact that it wished to control politics, and dominate the government in the states where its unions were organized. This is always the arch crime of which the working class can be guilty through the ages.

Darrow registered strenuous objections to these assertions.

Finally Mr. Hawley became angry, and said the state was not trying that case to suit the defense, thank God, and a spirited and personal court fight ensued. Each accused the one of trespassing upon the prerogative of the other. When Mr. Hawley resumed, he accused the "inner circle" of having left a trail of blood behind it, of being a menace to life and property, and of having squandered large sums of money on themselves. The killing of Steunenberg was only an incident in the murderous campaign of the Federation. Pettibone was the guide, counselor and friend of the "inner circle."

The prosecuting attorney went into the difficulties in the Coeur d'Alenes, and lauded the actions of Steunenberg. He took especial pains to show that Harry Orchard was not in the bull-pen at that time, so could have no personal reasons for killing Steunenberg. He asserted that there was a scale of wages for different crimes, and that Harry Orchard and Steve Adams were the chief instruments of death.

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He told about coming to Idaho, working in the mines at Burke, joining the Federation, assisting in stealing a train during a strike there and blowing up the Bunker Hill and Sullivan mill, under the instructions of W. F. Davis, a union official.

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One of the assertions made was that Dave Coates proposed the kidnapping of one of August Carlson's children, and said a large sum could be realized that way.

Another was that the Federation ring proposed to kill Steunenberg, and then send a man back to Patterson, New Jersey, the anarchist stronghold, to write threatening letters to others high in authority.

Orchard was a day and a half giving his testimony. The performance was a psychological study. The man has woefully missed his calling. He should have been a second Conan Doyle. Sherlock Holmes isn't in it beside him.

The defense took him for cross examination about the middle of Thursday afternoon.

Mr. Richardson brought out that he was a bigamist, changed his name the first time he left home, deserted his own wife and child, and ran off with another man's wife. He admitted he told a string of lies to Pettibone about his antecedents.

When one reads the testimony of Orchard, how he claims he murdered for money, the question arises, How much is he being paid to railroad Moyer, Haywood and Pettibone to the scaffold?

The unborn can have and shall have no special property rights. In other words, it is absolutely unjust that the present generation should continue to be plundered and robbed in order that certain unborn individuals shall be born rich, shall be born with such legal claims upon their fellow-men that while supplied with all the necessities, comforts, and luxuries of life they need no useful work in return."—Alfred Russell Wallace in The Arena.

## Conspiracy Unfolded

### Prosecution in Opening Statement to Jury Shows Trial Is for Purpose of Destroying Miners' Union

Boise, June 6. Immediately after Attorney Hawley's opening statement, the taking of testimony commenced. Nine witnesses were called to testify to the manner and method of Governor Steunenberg's death. These were C. T. Wayne, the man first on the scene, who lived about 125 feet from Governor Steunenberg's home. Dr. Gue, the physician, Attorney John C. Rice, a near neighbor, who testified to having seen Orchard, alias Thomas Hogan, around the Steunenberg home; M. S. Ellis, a carpenter, who gave about the same testimony; M. A. Ballantyne, a Caldwell merchant, who identified Orchard as Hogan; and Julian Steunenberg, son of the dead man, who had held a conversation with Hogan as to when his father would be home.

L. J. Bowman had met Hogan at the Pacific Hotel in Caldwell where he was stopping with Jack Simpkins under the name of Simmons. This witness identified a picture of Simpkins as the man he knew as Simmons.

James Russel also testified on this line as did Steve Dempsey, who kept the hotel. The hotel register was produced as evidence. The defense attorneys did very little cross-examining, and then only to ask the witnesses if they had noticed a tendency in Orchard to conceal any of his acts, and if on the other hand there was not a tendency for publicity. The witnesses admitted that there was no attempt at concealment.

This human beast who has probably been a Pinkerton in the employ of the mine owners all the time seeking to corrupt Federation men had no reason to shun publicity. He knew he would be protected.

Several witnesses not being on hand that the state desired, court was adjourned at three o'clock.

Wednesday morning three hotel keepers were called, J. M. Brunzell, A. Hickey and John Corsons from Nampa and Silver City, who testified to Hogan and Simpkins being at their houses on certain dates, and the registers produced. C. H. Wentz, who worked in the Warden bank, identified Simpkins' handwriting.

Guy Feight was another witness on identification. The attorneys for the defense did not cross-examine.

Boise, June 7. Tuesday morning court opened with the opening statement by the prosecution made by John Hawley, leading attorney for the state.

The bustle attending the court proceedings gives unmistakable evidences that the great trial is at last under way. The court room is crowded at every session; and indeed it is a mad rush by the public to obtain a chance for a place in the court room. Long before the doors are open the crowd packs the stairways down into the court house yard. When the doors are opened by the guards the court room is rapidly filled and then the doors are closed to all except members of the press and those who have special business in their attendance on court.

The room is heavily guarded. The chief of police with several guards stands at the entrance. Sheriff Hodgins and his deputies are omnipresent.

Senator Borah, the prime minister of the capitalist class in this display of force and legalized authority over the working class, is ever watchful, misses nothing, permits no detail to escape him. He is around the clerk, the judge, the stenographers. This trial will make or unmake Borah. He is called now "Idaho's favored son." He holds about the position in Idaho that Dixon does in Montana. These are the young men that are called the Roosevelt men. They represent the new plutocratic control.

If Borah succeeds in breaking up the

Western Federation of Miners he will be the darling of the Standard Oil interests throughout the Rocky Mountain region. Borah is playing for high stakes in the division of the surplus.

Mrs. Steve Adams and Mrs. Pettibone attend court together—two handsome women, handsomely dressed. Mrs. Moyer's sister is usually with them, a charming and dainty young girl. Mrs. Moyer has not yet appeared in court. Haywood's mother, Mrs. Caruthers, has arrived from Salt Lake with her daughter, a very pretty young girl of about twenty. The mother is a handsome woman who carries herself well, and has a sweet expression on her face. They do not seem unduly agitated over the situation. They are upheld by the idea that it is all simply the part of a play in a great conspiracy.

The Haywood family are in court every day. Mrs. Haywood's father, Mr. Miner, is here from Nevada, also Mr. McKinnon, one of the Federation boys, who married her sister Winnie.

Hawley's statement to the jury was brief and simple. He gave a eulogy to Ex-Governor Steunenberg. He said the state did not expect to prove that the crime was committed personally by the defendant. But under the statute accessories before the fact were treated as principals. They rendered assistance to the real perpetrator. The state intended to show collusion between the leaders of the union and other persons. He made a deliberate and vicious attack on workers' organizations, and the right of working men to organize. He emphasized the fact that the real power of the Western Federation was in its president and secretary. Conventions were only held once a year, and a few men were in control, and these leaders were responsible for scores of deaths.

Here Darrow objected vigorously to any such statement. The court overruled, and Mr. Hawley continued.

But the greatest of all the heinous crimes he charged the Western Federation with was the fact that it wished to control politics, and dominate the government in the states where its unions were organized. This is always the arch crime of which the working class can be guilty through the ages.

Darrow registered strenuous objections to these assertions.

Finally Mr. Hawley became angry, and said the state was not trying that case to suit the defense, thank God, and a spirited and personal court fight ensued. Each accused the one of trespassing upon the prerogative of the other. When Mr. Hawley resumed, he accused the "inner circle" of having left a trail of blood behind it, of being a menace to life and property, and of having squandered large sums of money on themselves. The killing of Steunenberg was only an incident in the murderous campaign of the Federation. Pettibone was the guide, counselor and friend of the "inner circle."

The prosecuting attorney went into the difficulties in the Coeur d'Alenes, and lauded the actions of Steunenberg. He took especial pains to show that Harry Orchard was not in the bull-pen at that time, so could have no personal reasons for killing Steunenberg. He asserted that there was a scale of wages for different crimes, and that Harry Orchard and Steve Adams were the chief instruments of death.

There was absolutely nothing new in the speech. It was simply a rehash of the Harry Orchard "confession" of which the world is already sickened. Nothing was said about the Western Federation being an insurrectionary organization. It was simply a pitiful exhibition of capitalism attempting to defend its rotten enterprises in a "dignified and respectable" way, and falling hopelessly flat as usual.

## The Arch Criminal

### Orchard Admits He Was on Friendly Terms with Detectives During the Colorado War

Boise, June 8. The cross examination of Orchard goes forward relentlessly. This man has certainly condemned himself out of his own mouth as the arch criminal of the age. And what information he has not volunteered the defense attorneys have disclosed as already in their possession during the cross examination. Already he is branded as

- Bigamist,
- Highgrader or ore thief,
- Gambler,
- Powder thief,
- Inendiary,
- Murderer.

He tells his tale coolly and quietly as one who has his lesson well learned. Mr. Richardson brought out that he had written the story of his life during the past year and had gone over it many times. Mr. Richardson was led to ask in regard to this by the circumstance of Attorney Hawley on the direct examination continually prompting Orchard to continue his "narrative," or "go on" and recite.

The murderer refused to admit that McParland had supervised and corrected the story. But he confessed under the merciless questioning that he was meeting McParland continually between the court sessions. He gave evidence in all his answers of the most careful coaching and encouragement.

Orchard is the central figure in one of the most daring games ever played in history by a ruling class to fetter the manacles on its slaves. All the powers of established control are marshalled to protect this anti-social beast, giving the most abandoned confession of his misdeeds. Borah and Hawley guard every move against him like the watch-dogs at the gates of hell. He is a precious charge of infinite value to capitalism and its profits, and the conditions of production through which its profits are made.

Capitalism has the best and the worst products of its system, which rules the world. It is the lowest dregs of human vitiation, like Orchard, that support its sanctity and culture. All that capitalism's favored sons are able to accomplish is done by the iron heel on the neck of the man that makes the product by which results are accomplished.

The Western Federation is moving in aggressive rebellion against conditions that subordinate and make labor inferior. If any individuals should have all that earth can give it is those who do the work. But if these had the joys that they have produced the capitalist system of special privileges would be shattered. The capitalist rushes to defend his dear privileges with the mad instinct of self-preservation. Orchard has been found a willing instrument in the hand of established injustice to grind to powder those who dare assail vested wrongs.

It will be interesting to see what becomes of Orchard. It is safe to say that not a hair of his head will ever be harmed. He walks secure amid his enemies, among the men whose lives he seeks like a human hyena, surrounded by what his guardians consider the greatest dangers through the exaggerated care they take to provide against any possible harm to this darling of the gods of mammon.

\$100,000 presented to him would be a cheap way of crushing the Federation. These profits would be made in less than a week if the great union were out of the way so that wages could be lowered to \$2.50 a day.

Only the socialist analysis of social products can correctly dissect a character like Orchard's. He is a highly specialized example of misdirected energy. The same activity which he has displayed in committing his atrocious crimes would have made a good and successful man if applied along other lines. But he was uneducated and forced to the narrow and uncongenial sphere of labor.

Labor troubles presented the opportunity of making himself useful and associating with those "above" his class. A life of excitement and intrigue was more interesting than work. How fascinating is the prospect of life and money without brutal work, espec-

ially to one who has no qualifications that would lift him out of the laborer's curse.

Even where Harry Orchard is concerned society is the great criminal.

The Haywood family, in spite of the attitude of bravery and courage on the part of all its members begins to show signs of great uneasiness and strain as the gruesome details are brought out. Vernie sits with the tears welling into her eyes, which she keeps wiping away. Mrs. Haywood's face shows oppressed mental suffering. The court room looks like a military camp in all except the uniforms. The doorways are now triple guarded. Thiele, detective superintendent, stands in front of the main entrance with the warden of the penitentiary and an enormous bull-dog looking guard. Other guards from the penitentiary, Colorado gun-men and deputies under Sheriff Hodgins, all big six-footers, are seated through and about the court room.

Bulkeley Wells, adjutant general of Colorado, and the man who was the most lawless pursuer of the union men in Telluride, superintendent of the Smuggler Union mine, the man who rode at the head of the troops when they came in there and simply pointed out the union men whom he wanted arrested, is in the court room continually.

It seems when engaged in the wood business in the Coeur d'Alenes country Orchard became involved because of his predilection for poker, and the examination has brought out that he has been much given to gambling throughout his entire career.

After the troubles in the Coeur d'Alenes and numerous wanderings Orchard joined the union at Altman, Colorado, No. 19. The examination on his experiences in the Cripple Creek district disclosed the fact that he was the first instigator of the blowing up of the Vindicator mine, as he had done the job in Warden, Idaho.

When asked why the union men wished to resort to these alleged crimes and why he would participate in them he said the militia were in the country and were running the men all around from one place to another, and it made a man feel as though he were willing to do anything.

Richardson brought out the fact, and Orchard assented to it, of Moyer and Haywood both being up at Cripple Creek during the strike at a large union picnic, and how the both spoke for peace, warned the men against all disorder, gambling and hanging around saloon, exhorted them particularly against violence, and said any such was always laid to the union men in time of strike, and was just what the capitalists wanted as an excuse for calling in the troops.

A dramatic scene occurred when Orchard made a statement implicating Will Easterly, one who has been much in official positions in the Western Federation, and has been especially Mrs. Haywood's body guard since she has been in Boise. Richardson asked if Easterly was in the court room, and on his rising requested him to come forward. As he did so the attorney asked Orchard to identify him which he did. Easterly smiled quietly, evidently not at all alarmed with the tool of the mine owners' attempt to connect him with his diabolical crimes. Orchard admitted that the reason Easterly did not assist in the Vindicator explosion was because he refused to have anything to do with the job.

The examination disclosed that Orchard married Mrs. Toney at Altman although he already had a wife. Mrs. Toney is to be here as a witness for the defense, and will swear that Orchard told her he was a Pinkerton detective. He afterwards deserted this woman.

When asked as to his association with Scott, the railroad detective, he said he was miffed because he did not get the money for his attempted jobs, and that he was also jealous because he was not employed to wreck the train, after he had done as much as he had.