

# Orchard Weeps

## Breaks Down on Witness Stand—McParland's Methods Exposed Under Richardson's Fire

Boise, June 15. The attitude of the Boise press towards this trial is a disgrace to the name of human freedom. The way the defense has riddled Orchard and shown his utter incompetency and reliability as a witness is potent to all observers. Even the judge looks disgusted at the revelations of this abandoned wretch, as he reluctantly makes admission after admission on the cross-examination to crimes he had not mentioned before. It is common comment that no jury could convict a man on such contaminated evidence. Yet the local papers, notably the "Statesman" comes out with flaring articles about Richardson's "blundering" ways, and his utter failure with the witness, how the friends of the defense are disgusted, and how the socialist reporters throw down their pencils in despair over his stupid efforts. It is needless to say that this is all fiction, pure and simple; Richardson's work has been magnificent. He has held the strong, aggressive from the very beginning. Orchard has had to put forth a terrible defensive against him in order to bear up at all, and the tactics of the famous attorney have laid bare the very soul of the cringing and cowering murderer.

And yet to the scientific interpreter of the well-springs of human action there is a burden upon the mind that is harrowing, painful, sorrowful. This man who sits here day after day enduring excruciating torture, is also a human being, and a most wretched product of the horrors to which capitalism forces the creatures that have become its victims. The economic explanation of phenomena illuminates the processes that have produced this unhappy wretch. Born of the working class, growing up with the untrained mind of the working class and the limited opportunities of the working class, his restless energies found no outlet save in the paths of crime. He was not a worse criminal than any of the capitalist examples all around him. He was only less competent. Capitalist society rewards every sort of crook better than the man that works, and Orchard found this out. But the anti-social attitude he had assumed wreaked its vengeance upon him. He was no part of any directing force; and to-day he is ground and crushed between the contending forces.

As he sits in the witness chair these contending forces are fighting like beasts to achieve a victory over him. He must be tortured that certain interest may prevail. Every witness must be bullied and terrified if possible not that truth, but that interests shall prevail.

Thursday the location of this gruesome tale of death showed that the cross-examination was nearing its close. A new line of crime for Orchard was disclosed. It seems he has been making arrangements with Jack Maffat, a bartender at Wallace to go in to smuggling at Seattle. And still the criminal record was unfolded. The man stole money from the store of his friend Murphy, who had made him many loans.

After he and Simpkins reached Caldwell and their murderous expedition, according to Orchard's narrative, he called Easterly up by phone and asked him if he could help him out on a contract. But Easterly, it seems, was not prepared to assist Orchard on anything. The latter testified, however, that he had a couple of letters from him which he tore up and threw away, but on telling the officers of them, they had recovered some pieces.

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Richardson then laid special stress on the fact that Orchard was taken to the penitentiary in violation of the law in such cases, was refused information as to where he was going, and treated like a criminal, and was not even allowed to read the papers.

After some time of this harsh treatment McParland came to him. He stayed for an hour and a half, talked to him of God and the Bible, told him of his work with the Molly Maguires.

The prosecution seemed amazed as Orchard made his admissions. His disposition to follow instructions and tell the truth now was becoming embarrassing. Little by little Orchard was disclosing that old fox McParland's crafty methods to control him. Borah tensed and alarmed, was standing, Orchard was breaking down. He is in tears, as Mr. Richardson asked if McParland had emphasized the story of David stealing Uriah's wife.

Still the torture of the cowering wretch must be pursued. He who has been a manhunter cannot be spared now. Justice stands ready to be avenged, and human lives, and the integrity of the whole working class are at stake. McParland piece by piece told how he broke up the Mollie Maguires, or the Ancient Order of Hibernians, the organization of the coal miners in the anthracite regions. Richardson asked if he told how he became an officer in the union and himself paid \$50 for one of the murders that he laid upon the men; that no crimes had been committed there till McParland came in 1873 as a paid detective.

Orchard had to admit that McParland told him the story of "Kelly the Bum," the worst murderer in the coal fields, said he was a tool of the union, like Orchard, and how he had got him to turn state's evidence; how he was not brought to trial, but allowed to leave the country and \$800 raised for him; and how McParland kept repeating the tale that the state always took care of its witnesses.

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This part of the examination was a merciless exposure of Pinkerton methods. Orchard hung his head. He could hardly talk. To the objections of the state Mr. Richardson replied that he had every right to test the credibility of the witness in every way. The judge ruled with the defense.

As Orchard told of his coming under McParland's influence, Richardson wanted to know if a part of his conversation was to hang innocent men. Orchard said he had been told that he could do the state, himself and the country a great deal of good and that the state was always fair with its witnesses. He made a talk like a revival conversion talk.

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The writer thinks differently. She is of the opinion that Orchard is a man placed in a position by which the danger and the horrors of his crimes, among which is undoubtedly that of trying to spy on and break up unions, has finally overcome him. He knows not whether to look for relief, and McParland has seen that the easiest way to handle him was to play on the sentimental emotions of religion. For

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# Lost Her Memory

## Peabody's Daughter Absent Minded on Witness Stand—Only One Answer to All Questions

Boise, June 15. The friends of the defense, the defense attorneys and the defendant himself are feeling jubilant this evening. It looks as though the prosecution were breaking down. Orchard has indeed been the star witness, but such a horrible character did he portray in himself that the most prejudiced adherents of the side of the state conceded that his testimony would have to be supported by strong corroborative evidence to carry any weight whatever.

The testimony since introduced by the state has been of the most trifling character. Hotel registers and persons to show that Orchard, Adams or Simpkins were at certain places at certain times nothing whatever to connect Haywood with the killing of Steunenberg; old bombs and relics of explosions—they may be Orchard's—he says they are—not a thing to show that Haywood was the least interested in the murderous exhibits. The sole evidence of the grand "conspiracy" is the unsupported word of the moral pervers, Orchard, and even he testified on the stand that he never knew of any "inner circle" in the Western Federation.

One of the state's own witnesses, Vaughn, stated to day that he thought Orchard was "bughouse" and the jury pricked up their ears and brightened up as though that was what they had been thinking right along.

Peabody and his daughter were on the stand to-day and this all star "social prestige" was the flattest fizzle of the whole bum show. The Peabody girl is a silly little girl that doesn't look as though she had two ideas in her head, and the spectacle she made of herself on the witness stand fully bore out her appearance.

She came to corroborate Orchard's testimony in regard to him and Adams having hung around Peabody's house in Denver, and being seen by three ladies as they stepped from their carriage after the theater. Miss Corn said that one evening after the theater as she and her mother and sister got out of their carriage at her home, two men were standing right close to them on the sidewalk. Then the men walked away. She couldn't give any date except to repeat the year of 1904; she couldn't give the theater or the play; she said she wouldn't know the men if she saw the men; she couldn't even remember the date when she went to open the St. Louis exposition. She kept shaking her head and repeating in a parrot-like way, "I don't remember" to every question the defense asked her.

And yet such evidences as this is supposed to hang Haywood.

There has been absolutely nothing new in anything the state has introduced. It is a very much diluted and weak rebash of what the papers have been blowing about to the world for a year.

Gov. Peabody's sole testimony was that he was remodeling his house at such a time. It was so foolish that the defense did not deign to ask any questions on it at all. It was supposed to corroborate Orchard's statement that he meant to blow Peabody up when he found he sat at a certain window every evening but desisted because he remodeled his house and changed his habits.

After an hour's session this afternoon Senator Borah announced that they had nothing further at present. Even the judge looked disgusted. He has been looking cross at the prosecution for several days.

Court was adjourned at 2:30 till Tuesday morning. Mr. Richardson asked if they could get some idea of the time when the defense witnesses would be needed. Mr. Borah replied that could call them for Wednesday. Everybody gasped. The defense attorneys laughed.

Now the query is "Is this the best the prosecution has to put up, or are they reserving the best till the last?" The case of the state is in a weak, even ludicrous condition so far.

The case for the defense is even much better than has been expected.

Whatever there is to the prosecution has been proved even now to be a mere working out of a Pinkerton detective scheme. Every witness has testified that his coming was arranged for by the Pinkerton force in his locality.

So "the State" in this case, that is the government, is the Pinkerton detective agency.

Who said we have democracy in America!

Orchard's cross-examination is being rigorously carried forward by Attorney Richardson with no prospect of a let-up in the near future. The courtroom is crowded every day. The "elite" of Boise seem to be making quite a fad of the trial, and the gay dresses and aspects of the ladies make the courtroom look like an afternoon tea.

Witnesses pour in for both sides of the case. The local papers are coloring everything that happens to favor the prosecution, and are picking out and putting in prominent places everything that would tend to strengthen the impression that Haywood is a murderer.

Adams has arrived here in custody of two officers, brought from the jail at Rathdrum.

When court opened this morning Richardson held Orchard on the griddle with regard to his meetings with McParland. He asked him why he held an hour's session with him every morning before court, and asked him what they talked about, what gave him strength to go through with the ordeal. This was evidently a reference to the father confessor roll McParland plays to Orchard and his alleged conversion to the sustaining grace of religious principles. He admitted that Hawley, Warden Whitney and McParland were visiting him yesterday afternoon.

When Orchard first went on the stand, Mrs. Pettibone and Mrs. Adams were seated within the railing facing him. Their intent gaze evidently embarrassed him and they were no longer allowed to have reserved seats, but were obliged to go into the body of the audience.

Haywood is constantly at the ear of Richardson whispering suggestions of every point of the cross-examination.

At one point in the proceedings Orchard stated that he had been told to tell the truth.

"Who told you to tell the truth?" said Richardson. "McParland," replied Orchard quickly, whereupon the courtroom burst into a laugh. The guards shouted for order and Orchard corrected by saying McParland and Hawley told him to tell the truth.

He was questioned very closely in regard to the different payments of money he claimed the Western Federation men had made to him. He made the open statement that up to the time of the Independence depot explosion, Moyer, Haywood and Pettibone had nothing to do with planning and carrying out the long array of crimes. This amounts to practically an exoneration of the Federation leaders.

Mr. Richardson then took up the matter of the Independence explosion. He had Orchard make a drawing of the depot and surroundings.

After this affair Orchard went up into Wyoming. He claimed he had about \$500 with him which he lost in gambling at Cody. Then because he was broke he went back to Denver where they were looking for him, and told Pettibone he had bought some lots and was going to build a saloon.

He admitted that he was accustomed to telling yarns about holding up street car conductors and committing various crimes which were mere fiction.

The defense then moved on to an examination of the Bradley affair in California.

During the day's questioning Orchard was entrapped into a couple of contradictions that altered his story in a very material way. At the beginning of the session the man who is attempting to hang his erstwhile brothers said that he wished to correct a

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# Criminal Career

## Orchard Under Cross-Examination Admits Committing Other Crimes—Tells of His Wanderings

Boise, June 12. Mr. Richardson for the defense still carries forward the pitiless questioning of Harry Orchard in regard to his career, and everything leading up to the assassination of Governor Steunenberg. Orchard sticks to his tale well. He has made no contradictions of any moment in regard to the main narrative concerning the Western Federation of Miners, although he has been betrayed into several discrepancies in matters connected with his own life. He stands the steady fire of Richardson with self-possession, yesterday being the only day he has shown evidences of irritation and exhaustion. He answers the questions easily and steadily, his voice seldom rising above the quiet, even tone he has assumed. But every answer has such an air of thoroughly guarded premeditation, and he admits such diabolical crimes in that even voice that the effect produced is that of burlesque tragedy, and is so looked upon by the spectators, who frequently burst into laughter at what should be the most harrowing points.

Nobody takes Harry Orchard seriously. Even Governor Gooding stated at Shoshone the other day that no jury in Idaho could convict on the Orchard evidence. Since the man has been groomed up for a year and a half by his high associates and well clothed, he presents rather a dignified and sleek appearance, like that of a well-to-do mining or business man—with the exception of his eyes. These are expressionless, devoid of intelligence, steel-blue, cold and vacant. Those who have experience in this direction claim that they are the typical eyes of an habitual criminal.

To-day, Wednesday, the defense began to score its heaviest points and to indicate more openly and emphatically what clue could alone unwind the tangled thread of this deep-laid criminal's acts. It is unquestionably that of all the wicked deeds his abandoned career has attempted the one he is bending every energy to consummate at present is the most inhuman and atrocious. To-day he is seeking to fasten upon the ranks of organized labor the stigma of barbarous and criminal acts, which, if carried to a successful culmination, will not only cause the death of all the prominent Federation leaders, but, for the time being, will wipe out organization of the working class in the west off the map.

To do this he has become a traitor to his class, he has betrayed and branded the lives of those who were kind to him, and with whom he dwelt as brothers, he has sought to pull the already overburdened working class into deeper depths of ignominy and helplessness.

The examination began to-day on Orchard's going to Canon City as an insurance agent, to work out some scheme for killing Governor Peabody. Minutely he watched the governor's habits, according to this wonder-woven tale, found that he was accustomed to read his paper near a window—but he doesn't shoot—he goes back to Denver to make a bomb. Borah is alert to every question. He is never neglectful, apparently never wearied. He stated the other evening in the Idanha hotel that he will hang all three of the men. He says he "is not a damn fool to go up against a game like that without knowing what he is about."

After a while Orchard abandons the bomb proposition also on Peabody. All this time, according to his story, he is living on Federation money. He says he could get it whenever he wanted it, but not to take too much at once. He told his friends he had found an easier way of living than working, and was never broke. Murdering as a profession was a better job.

One marvels over these perpetual delays on the part of one devoted to crime. Why all these strenuous attempts, these comings and goings, and nothing accomplished?

He now goes over to Rocky Ford, and goes into a fake hail insurance scheme, from which he collects several hundred dollars. His principal source of information when questioned,

is McParland. Richardson wanted to know if that was the same McParland he had spoken of before.

He now moves onward to give the history of the Gabbert and Gedlard bombs.

He and Pettibone were the conspirators in the Gabbert case. Mr. Richardson engaged in considerable chaffing over the Peabody bomb that Orchard left in his grip at Canon City. Orchard's account of making a bomb is that various quantities of dynamite were packed in a box, holes left in the side by which giant caps were pressed into the dynamite, a bottle of sulphuric acid placed with a wire attached to the cork so that it could easily be withdrawn and the contents spilled so as to ignite the mass. Various forces were employed to withdraw the cork. Sometimes the wire would be pulled, sometimes the opening of a door would accomplish the object. With the Peabody bomb a clock was attached with an alarm, and the wire wound around the stem. Judge Gabbert was to stoop and pick up a pocket book, and so set off the bomb. Governor Steunenberg opened the gate and pulled the string in that way.

These fantastic tales of things that never happened, were the occasion of considerable levity with Mr. Richardson.

Orchard's excuse for not using his bomb on Peabody in Canyon City, was that he had joked with an insurance man named Vaughn about having one in his grip, and he was afraid he would be suspected if anything occurred.

He went to work on the Gedlard bomb in Pettibone's store. Mr. Richardson here asked why Orchard always had to get some Western Federation man to go with him when he went out to kill people—why he never went by himself.

He said he never went out to kill people till he got in with those Western Federation fellows.

The examination proves tiresome. It is a monotonous repetition of what the world is already familiar with from the publication of Orchard's confession. There is absolutely nothing new except as the defense skillfully shows that it has been doing a little detective work on its own account, and uncovers various startling and discomfiting disclosures in regard to Orchard's deeds.

The next attempt was made on Sherman Bell. Orchard claimed that a team was procured to assist him in this particular job.

Richardson asked him if he did not know that the teams used in the union stores in Cripple Creek, after they were looted by the militia and mine owners were brought to Denver to be disposed of, and Pettibone took one of the teams to use in his business. But Orchard strenuously asserted that the team was especially got to help him commit this murder. Some barking dogs at the house saved Bell's life. Finally the attempt on Bell was abandoned because Moyer came back from the military prison in Telluride, a very sick man, and told them such work must be stopped in Denver because if anything happened he would be arrested, and he was not able to stand such another deal.

Orchard now moved on to the Steunenberg conspiracy. He said the dark plot originated in Moyer's office. Moyer, Haywood, Pettibone and Orchard being present. Moyer said the Denver work must be cut out for the present, but there was outside work that they wanted done. Moyer said John Neville knew too much about the Independence explosion, and had asked him for \$1,200 under threat of exposure. Orchard agreed to do this job, and admitted that he told Pettibone that he had killed Neville, although at the time of promising Moyer, he never intended doing it. He said he sent Wyatt from Salt Lake to accomplish the deed. Richardson asserted that Neville had died a natural death from bowel trouble, to which Orchard assented.

At this conference with Steunenberg as a prospective victim, Orchard aver-

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"Who told you to tell the truth?" said Richardson. "McParland," replied Orchard quickly, whereupon the courtroom burst into a laugh. The guards shouted for order and Orchard corrected by saying McParland and Hawley told him to tell the truth.

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Mr. Richardson then took up the matter of the Independence explosion. He had Orchard make a drawing of the depot and surroundings.

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# Criminal Career

## Orchard Under Cross-Examination Admits Committing Other Crimes—Tells of His Wanderings

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Nobody takes Harry Orchard seriously. Even Governor Gooding stated at Shoshone the other day that no jury in Idaho could convict on the Orchard evidence. Since the man has been groomed up for a year and a half by his high associates and well clothed, he presents rather a dignified and sleek appearance, like that of a well-to-do mining or business man—with the exception of his eyes. These are expressionless, devoid of intelligence, steel-blue, cold and vacant. Those who have experience in this direction claim that they are the typical eyes of an habitual criminal.

To-day, Wednesday, the defense began to score its heaviest points and to indicate more openly and emphatically what clue could alone unwind the tangled thread of this deep-laid criminal's acts. It is unquestionably that of all the wicked deeds his abandoned career has attempted the one he is bending every energy to consummate at present is the most inhuman and atrocious. To-day he is seeking to fasten upon the ranks of organized labor the stigma of barbarous and criminal acts, which, if carried to a successful culmination, will not only cause the death of all the prominent Federation leaders, but, for the time being, will wipe out organization of the working class in the west off the map.

To do this he has become a traitor to his class, he has betrayed and branded the lives of those who were kind to him, and with whom he dwelt as brothers, he has sought to pull the already overburdened working class into deeper depths of ignominy and helplessness.

The examination began to-day on Orchard's going to Canon City as an insurance agent, to work out some scheme for killing Governor Peabody. Minutely he watched the governor's habits, according to this wonder-woven tale, found that he was accustomed to read his paper near a window—but he doesn't shoot—he goes back to Denver to make a bomb. Borah is alert to every question. He is never neglectful, apparently never wearied. He stated the other evening in the Idanha hotel that he will hang all three of the men. He says he "is not a damn fool to go up against a game like that without knowing what he is about."

After a while Orchard abandons the bomb proposition also on Peabody. All this time, according to his story, he is living on Federation money. He says he could get it whenever he wanted it, but not to take too much at once. He told his friends he had found an easier way of living than working, and was never broke. Murdering as a profession was a better job.

One marvels over these perpetual delays on the part of one devoted to crime. Why all these strenuous attempts, these comings and goings, and nothing accomplished?

He now goes over to Rocky Ford, and goes into a fake hall insurance scheme, from which he collects several hundred dollars. His principal source of information when questioned,

is McParland. Richardson wanted to know if that was the same McParland he had spoken of before.

He now moves onward to give the history of the Gabbert and Gedlard bombs.

He and Pettibone were the conspirators in the Gabbert case. Mr. Richardson engaged in considerable chaffing over the Peabody bomb that Orchard left in his grip at Canon City. Orchard's account of making a bomb is that various quantities of dynamite were packed in a box, holes left in the side by which giant caps were pressed into the dynamite, a bottle of sulphuric acid placed with a wire attached to the cork so that it could easily be withdrawn and the contents spilled so as to ignite the mass. Various forces were employed to withdraw the cork. Sometimes the wire would be pulled, sometimes the opening of a door would accomplish the object. With the Peabody bomb a clock was attached with an alarm, and the wire wound around the stem. Judge Gabbert was to stoop and pick up a pocket book, and so set off the bomb. Governor Steunenberg opened the gate and pulled the string in that way.

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## Orchard Weeps

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And yet to the scientific interpreter of the well-springs of human action there is a burden upon the mind that is harrowing, painful, sorrowful. This man who sits here day after day enduring excruciating torture, is also a human being, and a most wretched product of the horrors to which capitalism forces the creatures that have become its victims. The economic explanation of phenomena illuminates the processes that have produced this unhappy wretch. Born of the working class, growing up with the untrained mind of the working class and the limited opportunities of the working class, his restless energies found no outlet save in the paths of crime. He was not a worse criminal than any of the capitalist examples all around him. He was only less competent. Capitalist society rewards every sort of crook better than the man that works, and Orchard found this out. But the anti-social attitude he had assumed wreaked its vengeance upon him. He was no part of any directing force; and to-day he is ground and crushed between the contending forces.

As he sits in the witness chair these contending forces are fighting like beasts to achieve a victory over him. He must be tortured that certain interest may prevail. Every witness must be bullied and terrified if possible not that truth, but that interests shall prevail.

Thursday the location of this gruesome tale of death showed that the cross-examination was nearing its close. A new line of crime for Orchard was disclosed. It seems he has been making arrangements with Jack Maffat, a bartender at Wallace to go in to smuggling at Seattle. And still the criminal record was unfolded. The man stole money from the store of his friend Murphy, who had made him many loans.

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employed by Orchard as an attorney in Denver, in connection with some rooming house deal. The evidence went to show that Orchard asked Sullivan to telegraph to Fred Miller and that Attorney Stone of the prosecution had inspected the telegram.

Richardson then laid special stress on the fact that Orchard was taken to the penitentiary in violation of the law in such cases, was refused information as to where he was going, and treated like a criminal, and was not even allowed to read the papers.

After some time of this harsh treatment McParland came to him. He stayed for an hour and a half, talked to him of God and the Bible, told him of his work with the Molly Maguires.

The prosecution seemed amazed as Orchard made his admissions. His disposition to follow instructions and tell the truth now was becoming embarrassing. Little by little Orchard was disclosing that old fox McParland's crafty methods to control him. Borah tense and alarmed, was standing, Orchard was breaking down. He is in tears, as Mr. Richardson asked if McParland had emphasized the story of David stealing Uriah's wife.

Still the torture of the cowering wretch must be pursued. He who has been a manhunter cannot be spared now. Justice stands ready to be avenged, and human lives, and the integrity of the whole working class are at stake. McParland piece by piece told how he broke up the Mollie Maguires, or the Ancient Order of Hibernians, the organization of the coal miners in the anthracite regions. Richardson asked if he told how he became an officer in the union and himself paid \$50 for one of the murders that he laid upon the men; that no crimes had been committed there till McParland came in 1873 as a paid detective.

Orchard had to admit that McParland told him the story of "Kelly the Bum," the worst murderer in the coal fields, said he was a tool of the union, like Orchard, and how he had got him to turn state's evidence; how he was not brought to trial, but allowed to leave the country and \$800 raised for him; and how McParland kept repeating the tale that the state always took care of its witnesses.

Richardson named half a dozen men that were allowed to go free after turning state's evidence. None of them were ever prosecuted for their crimes. He showed a minute knowledge of McParland's actions; how, when the troops were brought against the strikers, they were ordered not to fire upon a certain gray coat. So the mine owners took care of those who led their workers to destruction.

This part of the examination was a merciless exposure of Pinkerton methods. Orchard hung his head. He could hardly talk. To the objections of the state Mr. Richardson replied that he had every right to test the credibility of the witness in every way. The judge ruled with the defense.

As Orchard told of his coming under McParland's influence, Richardson wanted to know if a part of his conversation was to hang innocent men. Orchard said he had been told that he could do the state, himself and the country a great deal of good and that the state was always fair with its witnesses. He made a talk like a revival conversion talk.

What is the truth in this tangled mess of lies and subterfuges? The prevailing opinion seems to be that Orchard is an old Pinkerton detective, has been right along and is simply shaming.

The writer thinks differently. She is of the opinion that Orchard is a man placed in a position by which the danger and the horrors of his crimes, among which is undoubtedly that of trying to spy on and break up unions, has finally overcome him. He knows not whether to look for relief, and McParland has seen that the easiest way to handle him, was to play on the sentimental emotions of religion. For

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## Lost Her Memory

### Peabody's Daughter Absent Minded on Witness Stand—Only One Answer to All Questions

Boise, June 15. The friends of the defense, the defense attorneys and the defendant himself are feeling jubilant this evening. It looks as though the prosecution were breaking down. Orchard has indeed been the star witness, but such a horrible character did he portray in himself that the most prejudiced adherents of the side of the state conceded that his testimony would have to be supported by strong corroborative evidence to carry any weight whatever.

The testimony since introduced by the state has been of the most trifling character. Hotel registers and persons to show that Orchard, Adams or Simpkins were at certain places at certain times nothing whatever to connect Haywood with the killing of Steunenberg; old bombs and relics of explosions—they may be Orchard's—he says they are—not a thing to show that Haywood was the least interested in the murderous exhibits. The sole evidence of the grand "conspiracy" is the unsupported word of the moral pervers, Orchard, and even he testified on the stand that he never knew of any "inner circle" in the Western Federation.

One of the state's own witnesses, Vaughn, stated to day that he thought Orchard was "bughouse" and the jury pricked up their ears and brightened up as though that was what they had been thinking right along.

Peabody and his daughter were on the stand to-day and this all star "social prestige" was the flattest fizzle of the whole bum show. The Peabody girl is a silly little girl that doesn't look as though she had two ideas in her head, and the spectacle she made of herself on the witness stand fully bore out her appearance.

She came to corroborate Orchard's testimony in regard to him and Adams having hung around Peabody's house in Denver, and being seen by three ladies as they stepped from their carriage after the theater. Miss Corn said that one evening after the theater as she and her mother and sister got out of their carriage at her home, two men were standing right close to them on the sidewalk. Then the men walked away. She couldn't give any date except to repeat the year of 1904; she couldn't give the theater or the play; she said she wouldn't know the men if she saw the men; she couldn't even remember the date when she went to open the St. Louis exposition. She kept shaking her head and repeating in a parrot-like way, "I don't remember" to every question the defense asked her.

And yet such evidences as this is supposed to hang Haywood.

There has been absolutely nothing new in anything the state has introduced. It is a very much diluted and weak rebash of what the papers have been blowing about to the world for a year.

Gov. Peabody's sole testimony was that he was remodeling his house at such a time. It was so foolish that the defense did not deign to ask any questions on it at all. It was supposed to corroborate Orchard's statement that he meant to blow Peabody up when he found he sat at a certain window every evening but desisted because he remodeled his house and changed his habits.

After an hour's session this afternoon Senator Borah announced that they had nothing further at present. Even the judge looked disgusted. He has been looking cross at the prosecution for several days.

Court was adjourned at 2:30 till Tuesday morning. Mr. Richardson asked if they could get some idea of the time when the defense witnesses would be needed. Mr. Borah replied that could call them for Wednesday. Everybody gasped. The defense attorneys laughed.

Now the query is "Is this the best the prosecution has to put up, or are they reserving the best till the last?" The case of the state is in a weak, even ludicrous condition so far.

The case for the defense is even much better than has been expected.

Whatever there is to the prosecution has been proved even now to be a mere working out of a Pinkerton detective scheme. Every witness has testified that his coming was arranged for by the Pinkerton force in his locality.

So "the State" in this case, that is the government, is the Pinkerton detective agency.

Who said we have democracy in America!

Orchard's cross-examination is being rigorously carried forward by Attorney Richardson with no prospect of a let-up in the near future. The courtroom is crowded every day. The "elite" of Boise seem to be making quite a fad of the trial, and the gay dresses and aspects of the ladies make the courtroom look like an afternoon tea.

Witnesses pour in for both sides of the case. The local papers are coloring everything that happens to favor the prosecution, and are picking out and putting in prominent places everything that would tend to strengthen the impression that Haywood is a murderer.

Adams has arrived here in custody of two officers, brought from the jail at Rathdrum.

When court opened this morning Richardson held Orchard on the griddle with regard to his meetings with McParland. He asked him why he held an hour's session with him every morning before court, and asked him what they talked about, what gave him strength to go through with the ordeal. This was evidently a reference to the father confessor roll McParland plays to Orchard and his alleged conversion to the sustaining grace of religious principles. He admitted that Hawley, Warden Whitney and McParland were visiting him yesterday afternoon.

When Orchard first went on the stand, Mrs. Pettibone and Mrs. Adams were seated within the railing facing him. Their intent gaze evidently embarrassed him and they were no longer allowed to have reserved seats, but were obliged to go into the body of the audience.

Haywood is constantly at the ear of Richardson whispering suggestions of every point of the cross-examination.

At one point in the proceedings Orchard stated that he had been told to tell the truth.

"Who told you to tell the truth?" said Richardson. "McParland," replied Orchard quickly, whereupon the courtroom burst into a laugh. The guards shouted for order and Orchard corrected by saying McParland and Hawley told him to tell the truth.

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After some time of this harsh treatment McParland came to him. He stayed for an hour and a half, talked to him of God and the Bible, told him of his work with the Molly Maguires.

The prosecution seemed amazed as Orchard made his admissions. His disposition to follow instructions and tell the truth now was becoming embarrassing. Little by little Orchard was disclosing that old fox McParland's crafty methods to control him. Borah tense and alarmed, was standing, Orchard was breaking down. He is in tears, as Mr. Richardson asked if McParland had emphasized the story of David stealing Uriah's wife.

Still the torture of the cowering wretch must be pursued. He who has been a manhunter cannot be spared now. Justice stands ready to be avenged, and human lives, and the integrity of the whole working class are at stake. McParland piece by piece told how he broke up the Mollie Maguires, or the Ancient Order of Ebonians, the organization of the coal miners in the anthracite regions. Richardson asked if he told how he became an officer in the union and himself paid \$50 for one of the murders that he laid upon the men; that no crimes had been committed there till McParland came in 1873 as a paid detective.

Orchard had to admit that McParland told him the story of "Kelly the Bum," the worst murderer in the coal fields, said he was a tool of the union, like Orchard, and how he had got him to turn state's evidence; how he was not brought to trial, but allowed to leave the country and \$800 raised for him; and how McParland kept repeating the tale that the state always took care of its witnesses.

Richardson named half a dozen men that were allowed to go free after turning state's evidence. None of them were ever prosecuted for their crimes. He showed a minute knowledge of McParland's actions; how, when the troops were brought against the strikers, they were ordered not to fire upon a certain gray coat. So the mine owners took care of those who led their workers to destruction.

This part of the examination was a merciless exposure of Pinkerton methods. Orchard hung his head. He could hardly talk. To the objections of the state Mr. Richardson replied that he had every right to test the credibility of the witness in every way. The judge ruled with the defense.

As Orchard told of his coming under McParland's influence, Richardson wanted to know if a part of his conversation was to hang innocent men. Orchard said he had been told that he could do the state, himself and the country a great deal of good and that the state was always fair with its witnesses. He made a talk like a revival conversion talk.

What is the truth in this tangled mess of lies and subterfuges? The prevailing opinion seems to be that Orchard is an old Pinkerton detective, has been right along and is simply shaming.

The writer thinks differently. She is of the opinion that Orchard is a man placed in a position by which the danger and the horrors of his crimes, among which is undoubtedly that of trying to spy on and break up unions, has finally overcome him. He knows not whether to look for relief, and McParland has seen that the easiest way to handle him, was to play on the sentimental emotions of religion. For

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# Lost Her Memory

## Peabody's Daughter Absent Minded on Witness Stand—Only One Answer to All Questions

Boise, June 15. The friends of the defense, the defense attorneys and the defendant himself are feeling jubilant this evening. It looks as though the prosecution were breaking down. Orchard has indeed been the star witness, but such a horrible character did he portray in himself that the most prejudiced adherents of the side of the state conceded that his testimony would have to be supported by strong corroborative evidence to carry any weight whatever.

The testimony since introduced by the state has been of the most trifling character. Hotel registers and persons to show that Orchard, Adams or Simpkins were at certain places at certain times nothing whatever to connect Haywood with the killing of Steunenberg; old bombs and relics of explosions—they may be Orchard's—he says they are—not a thing to show that Haywood was the least interested in the murderous exhibits. The sole evidence of the grand "conspiracy" is the unsupported word of the moral pervers, Orchard, and even he testified on the stand that he never knew of any "inner circle" in the Western Federation.

One of the state's own witnesses, Vaughn, stated to-day that he thought Orchard was "bughouse" and the jury pricked up their ears and brightened up as though that was what they had been thinking right along.

Peabody and his daughter were on the stand to-day and this all star "social prestige" was the flattest fizzle of the whole bum show. The Peabody girl is a silly little girl that doesn't look as though she had two ideas in her head, and the spectacle she made of herself on the witness stand fully bore out her appearance.

She came to corroborate Orchard's testimony in regard to him and Adams having hung around Peabody's house in Denver, and being seen by three ladies as they stepped from their carriage after the theater. Miss Cora said that one evening after the theater as she and her mother and sister got out of their carriage at her home, two men were standing right close to them on the sidewalk. Then the men walked away. She couldn't give any date except to repeat the year of 1904; she couldn't give the theater or the play; she said she wouldn't know the men if she saw the men; she couldn't even remember the date when she went to open the St. Louis exposition. She kept shaking her head and repeating in a parrot-like way, "I don't remember" to every question the defense asked her.

And yet such evidences as this is supposed to hang Haywood.

There has been absolutely nothing new in anything the state has introduced. It is a very much diluted and weak rehash of what the papers have been blowing about to the world for a year.

Gov. Peabody's sole testimony was that he was remodeling his house at such a time. It was so foolish that the defense did not deign to ask any questions on it at all. It was supposed to corroborate Orchard's statement that he meant to blow Peabody up when he found he sat at a certain window every evening but desisted because he remodeled his house and changed his habits.

After an hour's session this afternoon Senator Borah announced that they had nothing further at present. Even the judge looked disgusted. He has been looking cross at the prosecution for several days.

Court was adjourned at 2:30 till Tuesday morning. Mr. Richardson asked if they could get some idea of the time when the defense witnesses would be needed. Mr. Borah replied that could call them for Wednesday. Everybody gasped. The defense attorneys laughed.

Now the query is "Is this the best the prosecution has to put up, or are they reserving the best till the last?" The case of the state is in a weak, even ludicrous condition so far.

The case for the defense is even much better than has been expected.

Whatever there is to the prosecution has been proved even now to be a mere working out of a Pinkerton detective scheme. Every witness has testified that his coming was arranged for by the Pinkerton force in his locality.

So "the State" in this case, that is the government, is the Pinkerton detective agency.

Who said we have democracy in America!

Orchard's cross-examination is being rigorously carried forward by Attorney Richardson with no prospect of a let-up in the near future. The courtroom is crowded every day. The "elite" of Boise seem to be making quite a fad of the trial, and the gay dresses and aspects of the ladies make the courtroom look like an afternoon tea.

Witnesses pour in for both sides of the case. The local papers are coloring everything that happens to favor the prosecution, and are picking out and putting in prominent places everything that would tend to strengthen the impression that Haywood is a murderer.

Adams has arrived here in custody of two officers, brought from the jail at Rathdrum.

When court opened this morning Richardson held Orchard on the griddle with regard to his meetings with McParland. He asked him why he held an hour's session with him every morning before court, and asked him what they talked about, what gave him strength to go through with the ordeal. This was evidently a reference to the father confessor roll McParland plays to Orchard and his alleged conversion to the sustaining grace of religious principles. He admitted that Hawley, Warden Whitney and McParland were visiting him yesterday afternoon.

When Orchard first went on the stand, Mrs. Pettibone and Mrs. Adams were seated within the railing facing him. Their intent gaze evidently embarrassed him and they were no longer allowed to have reserved seats, but were obliged to go into the body of the audience.

Haywood is constantly at the ear of Richardson whispering suggestions of every point of the cross-examination.

At one point in the proceedings Orchard stated that he had been told to tell the truth.

"Who told you to tell the truth?" said Richardson. "McParland," replied Orchard quickly, whereupon the courtroom burst into a laugh. The guards shouted for order and Orchard corrected by saying McParland and Hawley told him to tell the truth.

He was questioned very closely in regard to the different payments of money he claimed the Western Federation men had made to him. He made the open statement that up to the time of the Independence depot explosion, Moyer, Haywood and Pettibone had nothing to do with planning and carrying out the long array of crimes. This amounts to practically an exoneration of the Federation leaders.

Mr. Richardson then took up the matter of the Independence explosion. He had Orchard make a drawing of the depot and surroundings.

After this affair Orchard went up into Wyoming. He claimed he had about \$500 with him which he lost in gambling at Cody. Then because he was broke he went back to Denver where they were looking for him, and told Pettibone he had bought some lots and was going to build a saloon.

He admitted that he was accustomed to telling yarns about holding up street car conductors and committing various crimes which were mere fiction.

The defense then moved on to an examination of the Bradley affair in California.

During the day's questioning Orchard was entrapped into a couple of contradictions that altered his story in a very material way. At the beginning of the session the man who is attempting to hang his erstwhile brothers said that he wished to correct a

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# Criminal Career

## Orchard Under Cross-Examination Admits Committing Other Crimes—Tells of His Wanderings

Boise, June 12. Mr. Richardson for the defense still carries forward the pitiless questioning of Harry Orchard in regard to his career, and everything leading up to the assassination of Governor Steunenberg. Orchard sticks to his tale well. He has made no contradictions of any moment in regard to the main narrative concerning the Western Federation of Miners, although he has been betrayed into several discrepancies in matters connected with his own life. He stands the steady fire of Richardson with self-possession, yesterday being the only day he has shown evidences of irritation and exhaustion. He answers the questions easily and steadily, his voice seldom rising above the quiet, even tone he has assumed. But every answer has such an air of thoroughly guarded premeditation, and he admits such diabolical crimes in that even voice that the effect produced is that of burlesque tragedy, and is so looked upon by the spectators, who frequently burst into laughter at what should be the most harrowing points.

Nobody takes Harry Orchard seriously. Even Governor Gooding stated at Shoshone the other day that no jury in Idaho could convict on the Orchard evidence. Since the man has been groomed up for a year and a half by his high associates and well clothed, he presents rather a dignified and sleek appearance, like that of a well-to-do mining or business man—with the exception of his eyes. These are expressionless, devoid of intelligence, steel-blue, cold and vacant. Those who have experience in this direction claim that they are the typical eyes of an habitual criminal.

To-day, Wednesday, the defense began to score its heaviest points and to indicate more openly and emphatically what clue could alone unwind the tangled thread of this deep-laid criminal's acts. It is unquestionably that of all the wicked deeds his abandoned career has attempted the one he is bending every energy to consummate at present is the most inhuman and atrocious. To-day he is seeking to fasten upon the ranks of organized labor the stigma of barbarous and criminal acts, which, if carried to a successful culmination, will not only cause the death of all the prominent Federation leaders, but, for the time being, will wipe out organization of the working class in the west off the map.

To do this he has become a traitor to his class, he has betrayed and branded the lives of those who were kind to him, and with whom he dwelt as brothers, he has sought to pull the already overburdened working class into deeper depths of ignominy and helplessness.

The examination began to-day on Orchard's going to Canon City as an insurance agent, to work out some scheme for killing Governor Peabody. Minutely he watched the governor's habits, according to this wonder-woven tale, found that he was accustomed to read his paper near a window—but he doesn't shoot—he goes back to Denver to make a bomb. Borah is alert to every question. He is never neglectful, apparently never wearied. He stated the other evening in the Idanha hotel that he will hang all three of the men. He says he "is not a damn fool to go up against a game like that without knowing what he is about."

After a while Orchard abandons the bomb proposition also on Peabody. All this time, according to his story, he is living on Federation money. He says he could get it whenever he wanted it, but not to take too much at once. He told his friends he had found an easier way of living than working, and was never broke. Murdering as a profession was a better job.

One marvels over these perpetual delays on the part of one devoted to crime. Why all these strenuous attempts, these comings and goings, and nothing accomplished?

He now goes over to Rocky Ford, and goes into a fake hail insurance scheme, from which he collects several hundred dollars. His principal source of information when questioned,

is McParland. Richardson wanted to know if that was the same McParland he had spoken of before.

He now moves onward to give the history of the Gabbert and Gedlard bombs.

He and Pettibone were the conspirators in the Gabbert case. Mr. Richardson engaged in considerable chaffing over the Peabody bomb that Orchard left in his grip at Canon City. Orchard's account of making a bomb is that various quantities of dynamite were packed in a box, holes left in the side by which giant caps were pressed into the dynamite, a bottle of sulphuric acid placed with a wire attached to the cork so that it could easily be withdrawn and the contents spilled so as to ignite the mass. Various forces were employed to withdraw the cork. Sometimes the wire would be pulled, sometimes the opening of a door would accomplish the object. With the Peabody bomb a clock was attached with an alarm, and the wire wound around the stem. Judge Gabbert was to stoop and pick up a pocket book, and so set off the bomb. Governor Steunenberg opened the gate and pulled the string in that way.

These fantastic tales of things that never happened, were the occasion of considerable levity with Mr. Richardson.

Orchard's excuse for not using his bomb on Peabody in Canyon City, was that he had joked with an insurance man named Vaughn about having one in his grip, and he was afraid he would be suspected if anything occurred.

He went to work on the Gedlard bomb in Pettibone's store. Mr. Richardson here asked why Orchard always had to get some Western Federation man to go with him when he went out to kill people—why he never went by himself.

He said he never went out to kill people till he got in with those Western Federation fellows.

The examination proves tiresome. It is a monotonous repetition of what the world is already familiar with from the publication of Orchard's confession. There is absolutely nothing new except as the defense skillfully shows that it has been doing a little detective work on its own account, and uncovers various startling and discomfiting disclosures in regard to Orchard's deeds.

The next attempt was made on Sherman Bell. Orchard claimed that a team was procured to assist him in this particular job.

Richardson asked him if he did not know that the teams used in the union stores in Cripple Creek, after they were looted by the militia and mine owners were brought to Denver to be disposed of, and Pettibone took one of the teams to use in his business. But Orchard strenuously asserted that the team was especially got to help him commit this murder. Some barking dogs at the house saved Bell's life. Finally the attempt on Bell was abandoned because Moyer came back from the military prison in Telluride, a very sick man, and told them such work must be stopped in Denver because if anything happened he would be arrested, and he was not able to stand such another deal.

Orchard now moved on to the Steunenberg conspiracy. He said the dark plot originated in Moyer's office. Moyer, Haywood, Pettibone and Orchard being present. Moyer said the Denver work must be cut out for the present, but there was outside work that they wanted done. Moyer said John Neville knew too much about the Independence explosion, and had asked him for \$1,200 under threat of exposure. Orchard agreed to do this job, and admitted that he told Pettibone that he had killed Neville, although at the time of promising Moyer, he never intended doing it. He said he sent Wyatt from Salt Lake to accomplish the deed. Richardson asserted that Neville had died a natural death from bowel trouble, to which Orchard assented.

At this conference with Steunenberg as a prospective victim, Orchard aver-

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