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PINKERTON LABOR SPY RIDDLELL EXPOSED

MOYER'S TESTIMONY MAKES FINE IMPRESSION

Boise, Idaho, July 10th, 1907.

The Bradley depositions from San Francisco throw great doubt on Orchard's claim to that crime. The bomb theory is pretty well exploded. Gas theory more probable. Orchard's testimony was utterly contradicted in two particulars by the San Francisco depositions. Orchard testified he took Bradley's cook to the theater. She denies it point-blank. Orchard testified to hiding on the roof-top over back stairs of the Bradley house. Evidence by all witnesses shows the roof beyond possible reach at the time of the explosion but also shows how it could be done seven months after when a new house was built adjoining. Looks as if Orchard's evidence had been built up after the new house was erected. This is a very damaging point, going to show how Orchard and his fellow Pinkertons have dove-tailed truth and falsehood in the famous Confession.

Another independent witness in Frisco contractor, Abernathy. Orchard talked with him in November, 1904, and tried to interest him in silver-lead proposition of Couer d'Alene and declared if it had not been for that son-of-a-bitch Steunenberg he would have been a rich man now, adding, "I'll get him yet." Other independent witnesses impeaching Orchard were Mr. and Mrs. Gill of Spokane. Both testified that Orchard tried to sell his interest in the Hercules Mine in March, 1899, just before he left Wallace. Gill, who is consulting city engineer of Spokane, also testified to meeting Orchard in November, 1905, just before Steunenberg's assassination, when he repeated to him S. O. B. speech, saying, he would have had money in all his pockets and been building blocks in Spokane like Paulson and Hutton if it were not for that S. O. B. Steunenberg. Orchard is now proved to have made this vengeful remark about twenty times.

Moyer's testimony created a fine impression. Manly. Straightforward. Explained fully how the Federation undertook Orchard's defense before they knew he was guilty, though it looked bad for them to do it. So many false arrests and false charges had been made on Moyer himself and many others that they naturally did not believe Orchard guilty till he confessed. Open display of cipher telegram from Simpkins, letters and telegrams from Haywood in payment of Miller's fees to defend Orchard, made state's mysterious insinuations for last year look pretty cheap.

Borah tried hard to shut out evidence that Moyer was brought to Idaho by mine owners and Pinkertons, not by the Idaho state authorities. Bulkley Wells, in person held the keys to the handcuffs on that kidnaping train and was accompanied by Thug Meldrum and other "Gun men" from Colorado. Bulkley Wells was adjutant general of Colorado, president Smuggler-Union mine, and a very active member of the Mine Owners Association. Borah argued his control of that train tended to prove conspiracy to ruin these men and their organization. But Judge Wood ruled it out because proceeding was outwardly "legal." As if legal machinery could not be and was not prostituted to the purposes of the Mine Owners' conspiracy. As if legal conspiracy was not conspiracy still.

HERMON F. TITUS.

SECOND WEEK OF DEFENSE

The jury in the Haywood case is completely isolated from public influence, at least in theory. At the close of every session of the court, every morning at 12 and every afternoon at 4 and 4.30, Judge Wood reaches for his statute book and reads: "Gentlemen of the jury, it is your duty not to converse with any one or among yourselves, etc., etc." and then, "Swear the balliffs, Mr. Clerk," and finally, "Retire with the balliffs, gentlemen."

But, despite this form and rigor, those jurymen absorb the sentiment of the public in Boise. And, whether they do or not, the average jurymen is made of the same stuff and reached by the same considerations as the average citizen of Boise and vicinity, where these jurymen have lived for the last ten to forty years. We may safely calculate this jury feels and thinks about the case very nearly what the average citizen of Boise feels and thinks.

Now, it is certain the average citizen of Boise has about come to the conclusion that the State has not made out its case. I talked with a very intelligent professional gentleman who has attended the trial as often as possible for him and who has read everything he could find on the subject. He said "The whole case is Orchard and I have no confidence in Orchard. I watched him carefully on the stand for a week. At first he impressed me favorably, but at last I became convinced, even before I heard a single witness on the other side, that he is a colossal liar, engaged now in the most colossal crime of his career."

The impression of this unprejudiced observer, whose whole tendency was to condemn because he had heard only one side, is echoed throughout this community. It is even rumored that chief counsel Hawley, of the prosecution, has lost heart. It is remarked as odd that Borah is doing all the cross-examination since the first few days. The case is conducted heartlessly by the State.

and the rest who have led Idaho into this pit at the bidding of McParland and his Pinkerton Detective Agency.

Just now the latter are promising great things on "rebuttal." But people have heard the Promise Song so often the last eighteen months, that they pay no attention to it any more—except to laugh. The "Pinks" are cherishing away carefully one little or big boy of sixteen, for their "rebuttal." It is the Neville youth, a light colored, weak looking country lad, who it is presumed is intended to contradict Pat Moran, W. F. Davis and D. C. Copley, and to corroborate Orchard. Judging by the way Gunman Siringo, who is also McParland's bodyguard, keeps watch over young Neville, and even takes him to the best restaurants to feed, it would appear they are not very sure of this rebuttal witness. I am informed there is good reason for them to keep watch over their baby, as he has already told two or three contradictory accounts of his travels from Independence to Cheyenne in company with his father and Orchard.

If the balance of their rebuttal is of this character, it is probably all pure bluff.

At any rate, the State has lost public confidence in Boise during the last week to a very considerable extent. I think the jury feels the same.

TWO MAIN POINTS
The Defence put on some thirty odd witnesses the second week. Many have further contradicted Orchard's account and made it impossible to believe anything he says, unless fully corroborated by independent witnesses.

It is now seen that Orchard's supreme skill lies in forging a chain of circumstances called his "narrative," in which a hundred links may be true and only one link false. AND THAT FALSE LINK IS THE LINK THAT CONNECTS HAYWOOD WITH THE CONSPIRACY.
The skill lies in selecting the 99 true links, which can be tested and found true, AND IN ASSUMING THAT NO ONE CAN DISPROVE THE FALSE LINKS. ARE TOO NUMEROUS.
The main falsity is the assumption of a conspiracy on the part of Moyer, Haywood, Pettibone and the rest.
The State, as I have it on the best authority, is relying on the Idaho statute with respect to conspiracy as construed in the Paul Corcoran case in 1899. That statute, as so construed, holds that if a conspiracy to commit crime is once established, it is not necessary that any one of the conspirators should personally know of the commission of any particular crime by a co-conspirator in pursuit of the general purpose of the said conspiracy.
That means, if the State in this case shall establish a general conspir-

acy on the part of Moyer, Haywood, Pettibone, Simpson, Davis, Easterly, Orchard and others, then it will not be required to prove Haywood's connection with this particular murder of Steunenberg in any direct way. He may even have been entirely ignorant of it. Orchard shows his coaching to fit the law of Idaho when he testifies Haywood simply told him to go ahead and do whatever he liked, he couldn't do anything too fierce for him. That is, according to Orchard, his fellow-conspirators gave him a Roving Commission to Murder and in obedience to that commission, he killed Steunenberg. If that allegation is true, according to the Idaho statute Haywood is guilty.

But there's the rub. Is it true? Have the witnesses for the State, outside of Orchard, established any such conspiracy?
All they have actually established was the commission by somebody of certain crimes, Steunenberg's assassination, Dec., 1905; blowing up of the depot at Independence, Colorado, June 1904, killing some non-union miners; explosion in Vindicator mine, Nov., 1903, killing manager and boss; and explosion at Bradley's residence in San Francisco, Nov., 1904. The last two may or may not have been crimes. They are shown by evidence of Defence to have been accidents in all probability.

There is left only Steunenberg and Independence depot to establish conspiracy, unless we include the Bunker Hill and Sullivan explosion in 1899.

Take now the Independence depot. If the Defence has established any one thing the last week, IT HAS BEEN THE INJURY TO THE UNIONS OCCASIONED BY THE INDEPENDENCE EXPLOSION, THAT EXPLOSION ANNIHILATED THE WESTERN FEDERATION OF MINERS IN CRAPPLE CREEK.

To charge this explosion to Moyer, and Haywood, is to charge them with self-destruction. It is to charge them with being secret traitors to the Western Federation of Miners.
It is practically to charge them with being Pinkertons. For if Orchard blew up the Independence depot, as he claims, at the behest of Haywood, then Haywood was doing exactly what the Pinkertons wanted done, namely, some act of violence which would justify the restoration of martial law, the Deportation of Union Men and their sympathizers, and the overthrow of the Federation in that district.
In the light of the testimony produced by the Defence as to Colorado conditions from August 10, 1903 up to June 5, 1904, and after, it could be more seriously maintained that Haywood was a Pinkerton operative, if he planned or consented to the Independence explosion, than to maintain that he did it as an officer and friend of the Western Federation of Miners.
** If the Western Federation had an "Inner Circle" doing such deeds as the Independence Horror, or the Steunenberg Assassination, then that "Inner Circle"

**must have been organized by
**Bulkley Wells and James McParland, for the benefit of the Mine Owners' Association of Colorado
**and Idaho.

For this was Pinkerton advice as shown by testimony this week.

Morris Friedman, who was stenographer in McParland's office at Denver for three years, and who had kept copies of many reports made to that office, proved that McParland had officers of Unions in his employ, making daily reports to him concerning Union affairs.

That was a TREMENDOUSLY SIGNIFICANT FACT TO HAVE ESTABLISHED. Gratius of Globeville, was President of the Union there and chairman of the Relief Committee. MEHALICH TESTIFIED THIS PINKERTON IT WAS WHO INTRODUCED HIM TO ORCHARD IN JANUARY, 1905.

Everywhere we find Orchard in touch with men now shown by Friedman to have been operatives for McParland.

Everywhere, too, we find these Pinkertons to be advising hot headed action by the unions to which they belonged.

Gen. Engley told of Beckman, afterward shown to be a detective, coming to his office in December, 1903, wearing a Socialist Red Button, and proposing to hold a street meeting which Engley as a Socialist objected to as likely to make trouble.
John Dennis, a former Coffee Creek miner, testified that Beckman, when President Kennison made a speech in union meeting against all forms of violence, arose and made a rank talk, declaring "he was against and tired of the peace talk." The president called him to order for it.

The detectives were always advising this sort of thing in the unions. The Prosecution would have us believe that Haywood was in league with the Pinkertons and advocated the same policy.

THE BARNES TESTIMONY.
The most direct and striking testimony on the point was given by Joseph C. Barnes, a Kentucky born boy, who has been eleven years a miner in Colorado.

It is remarkable this man came to Boise believing that Pinkerton Operative Riddell was a faithful Union Man. He had known Riddell and lived with him and suffered with him, had been so intimate with him that they were known as "The two brothers." He could not believe it possible that so fierce a union man as Riddell had always been could possibly be a Pinkerton.
His evidence was straight from the shoulder and Prosecutor Borah dropped his cross examination very suddenly.

Here again we run across Orchard in close touch with the Pinkerton operative. When Orchard went to Oury as body guard for Moyer in the spring of 1904, he was observed by Barnes in close private conversation with Riddell behind closed doors for at least an hour.

It was Riddell who introduced Orchard to Barnes and who seemed to know Orchard well. RIDDLELL WAS A PINKERTON AT THIS TIME MAKING DAILY REPORTS TO McPARLAND.

Orchard also, as shown by his own evidence and that of several other witnesses had been and was in close touch with Sterling and Scott all along the fall of 1903 and spring and summer of 1904.

Barnes further testified that Riddell proposed to him "to blow up all of the Liberty Bell mill or the Smuggler mill." He wanted to get some powder, "put it in a beer keg and roll it down on the mill." He also proposed to burn the town of Telluride and was always leader of the faction in the union opposed to the conservative and peaceful majority faction led by Guy Miller, the Socialist.

CONCLUSION FORCED BY EVIDENCE.

Putting all this together, I am driven to the conclusion that it is altogether probable that Orchard has been all along in the employ of the Pinkertons, not as an ordinary operative, making daily reports to be copied by an office stenographer, but as a special and secret operative, sent into the Western Federation of Miners to do what McParland did to the Mollie Maguires and what his present body guard Siringo is reported to have spent three years in doing among a gang of cattle thieves in Wyoming.

Those Secret Operatives spend years at their work of obtaining evidence to convict. Their form of operation is always the same. Become a member of the organization. Become a trusted leader. Join in its crimes. Stimulate them to more violence and more crimes.

If they have not committed crimes, advise and urge them to do so, like Riddell. Get intimate with them as Orchard did with Moyer, Haywood and Pettibone. If you cannot convict them in any other way, commit crimes with them and for them as Orchard claims he did, and as McParland and Siringo did.

I have never believed it possible men could be found so low in the human scale as to murder and lead in murder in order to convict their dupes and victims.

But I am ready to be convinced by evidence. And the circumstantial evidence is here very strong against the Pinkertons.

I am reminded of the remark of a Capitalist reporter last week when Friedman left the stand. When I asked him what he thought of the

Crushing Testimony of His Former Brother Unionist, Joseph C. Barnes, Lays Bare Pinkerton Schemes—Riddell and Orchard Hold Secret Conference—Riddell a High Operative—Orchard Still Higher—Full Verbatim Report Exclusively in "Socialist"

Joseph C. Barnes, being called as a witness on behalf of the defendants, and being first duly sworn, on oath testified as follows:
Direct Examination By Mr. Darrow.
Q. What is your name, please? A. Joseph C. Barnes.
Q. Where do you live, Mr. Barnes? A. Near Montrose.
Q. Colorado? A. Colorado.
Q. How long have you lived in Colorado? A. 11 years.
Q. Is that in the Telluride district? A. It is 65 miles from Telluride to Montrose. I have prospected around Telluride and Silverton.
Q. Where were you born? A. In Kentucky.
Q. How old are you? A. 39 years old.
Q. How long did you mine? A. I started to prospecting about 1896.
Q. That is your business, is it, mining? A. My business is farming.
Q. Farming? A. Yes, sir.
Q. Are you farming now? A. Yes, sir; that is, I have a sage brush patch that I am clearing up and getting ready to farm.
Q. When you get some water on it? A. Yes, sir.
Q. How long? A. Well—that is, I have prospected since 1893. I went to Telluride in 1896 but I did not go to mining; I went to working as a common laborer.
Q. You first worked around there as a common laborer? A. Yes, sir.
Q. What kind of work did you do there? A. The first job I got after I left home in Kansas was cleaning up around the Columbia boarding house, cleaning the tin cans and things out of the yard.
Q. Did you ever join the union? A. Yes, sir, after it was organized—after the Federal Labor Union was organized in 1901.
Q. That was the Western Federation of Miners that you joined? A. Not the Western Federation of Miners; it was a local of the American Labor Union that was organized by the Western Federation of Miners.
Q. Where were you when you joined it? A. I was working in Telluride, in a restaurant.
Q. Afterwards did you join the miners' union? A. I never did join the miners' union.
Q. Were you affiliated with them? A. Yes, sir.
Q. And you went to mining, did you? A. Yes, sir.
Q. Do you remember the time of the strike down in Telluride? A. I do.
Q. When did that come off? A. The mill men come out for eight hours on September the 1st.
Q. What year? A. 1905.
Q. Do you know a man by the name of Riddell that stays around the door here more or less? A. Yes, I do.
Q. How long have you known him? A. I have known him since January 5th, 1903.
Q. When did you last see him before you came to Boise? A. I saw him in Silverton in 1905. I guess—I am not sure about that; he was there during 1904 and 1905; I think it was the fall of 1905 when he left Silverton to go to Oury and afterwards to get out of the country.
Q. 1905? A. Yes, sir.
MR. BORAH: What time in 1905?
THE WITNESS: He left in the fall. I would have to study a minute to say whether it was 1904 or 1905, but I think it was the fall of 1905. I know it was in the fall of the year.
Q. Have you and he been in jail together? A. Yes, we have been in jail together and in other places.
Q. How much have you been with him? A. Ever since he declared himself in 1902, until he left we were continuously together when we were not separated on account of military necessities.
Q. You mean the military necessity of your organization? A. We were sometimes shipped one of us one way and the other the other.
Q. You mean in the military necessities of the other fellow? A. Yes, sir.
Q. You and he were chums, were you? A. Yes, sir; we were more than that; we were just the same as one; they called us the three brothers, my brother, myself and him.
Q. Did you live together in the same house, except when you were in the bull pen? A. We did, and were there together then.
Q. Was that about the time of the beginning of the strike that you got acquainted with him? A. Before the strike, the first year I remember—the first specific action I remember of his doing anything that I considered a brotherly act was about March 15th, 1903, when I think at least he saved me from getting into a whole lot of trouble—that is, getting killed.
Q. Getting killed, well, that is considerable trouble. He came to you and told you something at that time did he? A. He told me there was a plot on foot to knock off some of the—
Mr. Hawley: We object to that, what he was told.
Q. He made some report to you? A. Yes.
Q. And then you became friendly? A. Yes, we were always friendly, but I felt under obligations to him after that.
Q. Did he hold any office in the union? A. He was at the head of the minority faction there, and I think he was appointed on the committee and probably was a trustee. I would have to look up the books to be

certain of that, as I did not belong to the miner's union.
Q. Do you remember when the militia was called in? A. The militia got there about the 23rd. The Citizens Alliance made the call about the time that—about November 10th.
Q. Of what? A. Well, that—
Q. The 10th of what? A. November.
Q. 1903 or 1904? A. 1903 they sent—
MR. BORAH: 23rd of November?
THE WITNESS: When they got there, yes sir.
Q. Anything doing there to call for the troops at that time?
MR. BORAH: I object to that as calling for a conclusion of the witness.
Q. What was doing there? A. We had practically in no—
MR. HAWLEY: Wait a moment.
Q. Was there any disturbance there at that time? A. There had been one disturbance. Meldrum and another bad man had beaten up Billy Drummond at the Tomboy mine; he was a cripple, and another fellow—
Q. Were Meldrum and this other bad man of your fellows? A. No, they were not.
Q. You have seen Meldrum around here, too? A. Yes.
Q. I guess we know who he is now. Were there some pickets up at the Tomboy mine at that time? A. October, or November the 7th the pickets were sent to the Tomboy mine.
Q. Was Riddell one of those? A. That was one measure that he got through. He was the one that headed the bunch that went up there.
Q. Went as a picket? A. Yes, he took them up there.
Q. And the troops were called on account of whatever happened at the Tomboy mine?
MR. HAWLEY: We object to that on the ground that it is calling for a conclusion.
THE COURT: The objection is sustained.
Q. When were the troops called with reference to the time the pickets went up to the Tomboy mine? A. The troops were called about—well, do you mean when were they sent there by the governor, or when did this committee meet—
Q. Well, when did the committee go to Denver? A. About the 20th of November.
Q. And when do you say the pickets went up to the Tomboy? A. The 1st of November.
Q. Well, we will leave that now. Did Riddell come back down town? A. Yes, he could not stay away. He stayed up there three days and came back.
Q. How far is the Tomboy from town? A. The Tomboy is—well, it is according to which train you take; it is about four miles.
Q. Is that the longest or shortest trail? A. Yes, that is the longest one.
Q. And did anything happen to you after the troops got there? A. That is when things did begin to happen. I think it was about—well, I got away from the first; I was sent to Montrose. Riddell was to go down there but they put him in jail to keep him from going to Montrose, and I went in his place and the Kinley Kid hit me in the head with a six-shooter and I had to go to the sanitarium and did not get back for two weeks, and when I got back I was thrown in jail for making signs and gestures to intimidate the men at the Tomboy mine, they said, and after I was put in jail that night, there was twenty-five of us in jail, December the 21st or 22nd, and we tried to get out on bonds, and the judge said that it was too late to make out bonds that night and that he would do it the next morning; and at four o'clock that night they had a special train ready there and they took eleven of us out and handcuffed several of the boys together—they did not handcuff me because I was not dangerous—and they said we were going to get out; and it was snowing a little and they told us how we would look with snow all over us hanging from the trees in the morning; and I concluded to hold for the troops that had been moved there for the purpose of killing—
MR. HAWLEY: Wait a minute. We object to that and move to strike that out.
THE COURT: The motion will be allowed.
MR. HAWLEY: We ask that the witness be warned.
THE COURT: Witness, you answer the questions asked you and no others.
THE WITNESS: He asked me what took place.
THE COURT: That part will be stricken out as to the purpose. You answer the question that you were asked.
THE WITNESS: What was the question?
Q. Were the troops moved? A. The troops had been patrolling or assisting the civil authorities in patrolling the town; I know this, and when they started us down to the depot in charge of the civil authorities—that is, the deputy sheriffs, why I looked around expecting—I expected to meet some of the troops and I intended to call on them.
MR. HAWLEY: We object to that as immaterial.
THE WITNESS: Well, I began to keep my eyes open but I could not see one of those militiamen all the way down.
MR. HAWLEY: We object to his intentions.
THE WITNESS: Well, the militia-

men was not on their regular patrol that night between the court house and the depot, and not seeing the militiamen I went along with the civil authorities and they put us on the train and put ten or eleven guards on with us and took us down to Montrose and put us in jail there.
Q. How long were you there? A. Four or five days. We spent Christmas there.
Q. How many of you there? A. Eleven of us.
Q. Was Riddell there? A. No, he was not; I don't know how he did not come.
MR. HAWLEY: We object to that and ask to have that stricken out. It is evident that this witness is all cocked and primed—
MR. DARROW: Oh, no.
MR. HAWLEY: I say yes.
MR. DARROW: He has not been cocked and primed or led at all, although he was around your militia a good while.
THE COURT: What was that answer?
The last answer was then read.
THE WITNESS: Well, Riddell was not there.
THE COURT: That answers it.
Q. You say he was not there? A. No, but he was thrown in with the rest of us.
Q. You don't know how long he stayed in? A. I think he was let out the next morning.
Q. After you had your Christmas there were you arrested again? A. I went to Telluride in a barrel.
Q. In a barrel? A. Yes, and after I got back into Telluride—
MR. BORAH: Now, you were asked a single question whether you were arrested or not, and you can answer that without going into—
MR. RICHARDSON: We have no objection to their saying anything to the court, but we do object to their instructing and browbeating the witness on the stand.
THE COURT: He was asked if he was arrested again, and he said he went back in a barrel. The court has instructed him to answer the questions and the statement that he went back to Telluride in a barrel is not responsive to the question that was asked.
Q. How did you get back to Telluride? A. Well, I don't know hardly how to answer that.
Q. How did you get back? A. I got back to Telluride in a barrel; that is I got through the lines.
Q. Through the lines? A. Yes, sir.
Q. And were you arrested again after that? A. I was arrested by this militia when I was endeavoring to get back; that is, they threw their guns down on me and I stopped for a few minutes and then I escaped.
Q. How did you escape? A. Well, I climbed a tree.
Q. With the barrel, or had you got out of the barrel? A. That was before I got into this barrel.
Q. You finally got back? A. Yes, but I was not arrested again until I had been to Kansas and had gone back under the orders of Governor Peabody that no one would be molested returning to Telluride unarmed.
Q. Were you arrested again? A. I was arrested then and thrown into the bull pen.
Q. For what this time? Do you know what you were charged with? A. Well, Riddell told me afterwards what we were charged with.
Q. What did you find out?
MR. HAWLEY: We object to that as hearsay.
Q. Did you ever find out what you were charged with? A. No, they just threw us in the bull pen.
Q. Did you have any trial? A. No, no trial at all.
Q. How long did you stay there? A. I stayed there five days.
Q. Was Riddell with you? A. Riddell slept with me except the night I was in solitary confinement.
Q. Riddell was in the bull pen with you, was he? A. Yes.
Q. And then you were turned loose in five days? A. Five days, yes, sir.
Q. Were you arrested again? A. Not exactly.
Q. Pretty near arrested, were you? A. I was given 30 minutes to get out of Telluride in by the marshal.
Q. Did you get out? A. No, I told him that that was too long to give me to get out of any place in—
Q. Did anything more happen to you in the way of arrests or getting out of town? A. At that time?
Q. Yes, A. Why—
Q. Or later than that? A. No, it was the last time I was in Telluride.
Q. Well, now what did Riddell have to do specifically with the strike? Was he on any committees or anything of that sort? A. HE WAS WORKING WITH ME—UNDER MY COMMITTEE TO TAKE CARE OF THE MEN. HE HAD THE LODGING HOUSE DEPARTMENT UNDER HIS SUPERVISION WHILE I WAS MANAGING THE REST OF THE DEPARTMENT.
Q. Did you ever hear him make any statement either in the bull pen or out as to what ought to be done? A. EVERY DAY THAT I WAS WITH HIM.
Q. What did he say? A. WHY. HE OBJECTED TO GUY MILLER'S POLICY AND THE POLICY OF THE HEADQUARTERS OF THE WESTERN FEDERATION OF MINERS AT THAT TIME; HE SAID WE OUGHT TO GET BUSY. DO YOU WANT THE SPECIFIC THINGS?
Q. Exactly what he said. A.

(Continued on Page 2.)

(Continued on Page 1.)

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SPY RIDDELL EXPOSED

(Continued from Page 1.)

WELL, HE SAID THAT IF WE HADN'T BEEN A LOT OF SCHOOL BOYS WE MIGHT HAVE RUN THEM OUT OF TOWN AS SOON AS THEY LANDED AND WE OUGHT TO DO IT YET AND WHENEVER ONE OF THEM LOOKED-TOOK A CROSS LOOK AT US WE OUGHT TO GIVE HIM A PUNCH AND WE OUGHT NOT TO STAND IT TO BE RUN OVER BY THEM, ESPECIALLY AFTER DRUMMOND WAS BEATEN UP.

Q. What else did he say about what should be used? A. WHY, THE LATTER PART OF OCTOBER HE COME TO ME WITH A PROPOSITION AFTER SOME TALK OF THIS KIND, TO BLOW UP THE- MR. HAWLEY: We object to the conclusion.

Q. What did he say? A. I SAYS, "I DON'T KNOW WHAT WE CAN DO MORE THAN WHAT WE ARE DOING;" AND HE SAID, "I CAN TELL YOU WHAT WE CAN GO TO USING SOME DYNAMITE; WE CAN BLOW HELL OUT OF THE LIBERTY BELL MILL OR THE SMUGGLER MILL AND IT IS UP TO YOU AND I TO DO IT AND YOU CAN GET SOME POWDER OF FLOATEN HE KNOWS THAT YOU AND I ARE PROSPECTING AND YOU CAN GET ALL YOU WANT, AND IF HE SUSPECTS ANYTHING AFTER THE CELEBRATION IS OVER, HE WON'T SAY ANYTHING ABOUT IT BECAUSE HE IS A GOOD FRIEND OF YOURS," AND HE SAYS, "IF YOU DON'T WANT TO DO THAT WE CAN GO UP TO THE POWDER HOUSE BETWEEN THE LIBERTY MILL AND THE TOMBOY MILL AND WE CAN TAKE AN AXE AND BREAK THE LOCK OFF AND GET POWDER OUT OF THAT;" AND I SAY, "YOU MEAN TO BLOW UP ONE OF THOSE MILLS?" AND HE SAYS, "SURE; WE CAN TAKE A COUPLE OF KEGS AND PLANT THEM ABOVE THE LIBERTY BELL MILL AND TAKE THIS POWDER UP THERE AFTERWARDS AND FILL THESE BEER KEGS WITH THE POWDER AND PUT FUSES IN IT- INTO THE BEER KEGS AND TOUCH THEM OFF AND ROLL THEM DOWN ON THE LIBERTY BELL MILL;" AND I TOLD HIM, I SAYS, "WOULDN'T YOU BE LIKELY TO KILL SOMEBODY?" HE SAYS, "WOULDN'T MAKE A DAMNED BIT OF DIFFERENCE IF WE DID KILL A SCAB OR TWO, IT WOULD BE SO MUCH THE BETTER." AND I TOLD HIM I WAS NOT GOING TO DO ANY KILLING TO WIN THAT STRIKE, THAT I WAS NOT GOING TO MURDER ANYBODY AND HE WOULD HAVE TO DECLARE ME OUT; THAT I WOULD NOT DO IT. AND I TOLD HIM BESIDES THAT THE TROOPS WOULD BE IN THERE WITHIN TWO HOURS IF ANYTHING OF THAT KIND DID TAKE PLACE AND I WOULD NOT STAND FOR ANYTHING OF THE KIND, AND IF HE DID NOT CUT IT OUT I WAS GOING TO NOTIFY GUY MILLER; AND HE SAYS, "YOU ARE JUST LIKE THE REST; YOU FELLOWS HAVE LOST YOUR NERVE AND YOU HAVE LOST YOUR NERVE, TOO, AND I WILL GET SOMEBODY ELSE THAT WILL DO IT." BUT I SAYS, "YOU WON'T DO ANYTHING OF THE KIND AND IF I HEAR OF YOUR MAKING ANY ENDEAVOR TO DO IT I WILL TELL GUY MILLER."

Q. Did you ever talk with Guy Miller about it at any time? A. Yes, sir.

Q. What did you and Guy Miller do? A. Immediately after that I walked down to the down towards San Miguel one afternoon and we spent the afternoon probably and he told me I ought to cut Riddell out, that he suspected Riddell and I told him that he was suspicious of everybody and that Riddell was just hot-headed and we could keep him in line all right, and that he probably would not do anything that would injure our cause.

Q. Was anything said in reference to a train at one time? A. That was after I came back from Kansas.

Q. What was that? A. He said that we ought to take--go back to Telluride--well, the truth of the matter was I came back to go back to Telluride, and that is how it came up and we were talking about ways and means of going back to Telluride, all of us, and HE SAID THAT WE SHOULD GET THE ENGINEER THAT RUNS THAT TRAIN IN THERE IN THE EVENING, INTO OURAY, AND COMPEL HIM TO BACK THE ENGINE OUT OF THE ROUNDHOUSE HOOK IT ONTO THIS TRAIN AND WE SHOULD GET THE BOYS TOGETHER--NOT SAY ANYTHING ABOUT IT ONLY TO A FEW UNTIL THE LAST MOMENT, AND GET THEM ALL TOGETHER AND PUT THEM ON THE TRAIN AND CUT THE TELEGRAPH AND TELEPHONE WIRES AND GET ALL THE GUNS WE COULD AND GO BACK TO TELLURIDE AND STAY THERE.

Q. How many of you were there? A. Of our deported men? I don't suppose there was over 65--yes, there was over a hundred.

Q. You had been sent from Telluride to Ouray? A. We had been sent from Telluride to Montrose, and afterwards went to Ouray.

Q. Was anything said by him in reference to doing anything to the town down there? A. Well, that was in 1904, in the fall of the year; WE WERE OVER AT SILVERTON ROOMING TOGETHER IN THE KNOWLES COTTAGE, AND WE WERE SITTING ON THE PORCH EATING TURNIPS, AND HE SAID WE OUGHT TO DO SOMETHING TO CAUSE OR CREATE A LITTLE EXCITEMENT AND HE MADE THE PROPOSITION THAT WE COULD GO OVER TO TELLURIDE AND PUT SOME DYNAMITE UNDER THE PIPELINE UP TO THE TOMBOY MINE, AND BLOW THAT UP AND BURN THE TOWN DOWN.

Q. That was in 1904? A. That was in 1904, yes.

Q. What did you tell him about that? A. I told him I did not believe in a program of retaliation. I TOLD HIM OF A WHOLE LOT RIGHT THEN. DO YOU WANT ALL I SAID? Q. No, we will let Mr. Hawley bring that out. A. That was the substance of it.

Q. Were you down there when Moyer came down? A. Moyer came a few days after I got back to Ouray.

Q. Where did he come to? A. He came to Ouray from Denver.

Q. Yes, and were you in the bull pen with him? A. A few days after that I was in the bull pen with him.

Q. Did you see who came with Moyer to Ouray? A. Yes, that is, I was to the train when the train come in; there was quite a crowd there and I saw them at a distance. I did not see--

Q. Who was with him? A. I found out afterwards that Harry Orchard was with him.

Q. Did you see Harry Orchard in town that day or the day after? A. Yes.

Q. Where did you see him? A. In Klitty Hilt's rooming house.

Q. Whereabouts in the rooming house? A. Downstairs, in next to the front room.

Q. A rooming house, you say? A. Well, it is a hotel, where we were stopping.

Q. What time of day did you see him there? A. In the evening.

Q. ANYBODY WITH HIM? A. RIDDELL WAS WITH HIM IN THE ROOM.

Q. HOW LONG DID YOU SEE THEM TOGETHER THAT YOU KNOW OF? A. WHEN I WENT OWN TO SUPPER THEY WERE IN THE ROOM AND THEY WERE HAVING SOME KIND OF CONVERSATION AND I STEPPED IN AND HE ASKED ME IF I KNEW ORCHARD AND I TOLD HIM THAT I HAD SEEN HIM WITH MR. MOYER, AND HE SAID "THIS IS ONE OF THE BOYS," AND THEY HAD A LITTLE MORE CONVERSATION AND I WENT ON OUT AND WENT TO SUPPER. I SAW THEY WERE INTERESTED AND I ASKED THEM TO GO TO SUPPER WITH ME, AND THEY SAID NO, THAT THEY WOULD SEE ME AFTER AWHILE, AND WHEN I COME OUT THE DOOR WAS SHUT--WHEN I CAME OUT FROM SUPPER, THE DOOR WAS STILL SHUT AND I KNOCKED AT THE DOOR AND ORCHARD AND RIDDELL WAS STILL IN THE ROOM AND I ASKED THEM IF THEY WERE GOING DOWN TOWN TO SEE IF WE WOULD GET THE MAIL, AND THEY SAID THAT THEY WOULD BE ALONG IN A FEW MINUTES, AND I WENT ON DOWN TOWN.

Q. Did you ever see Orchard again? A. I don't believe I did. I don't know whether I seen them around the town together after that or not. There is one correction I would like to make.

Q. What is that? A. In the bull pen--when I was in the bull pen on bread and water I don't remember whether they kept him in that night or not.

Q. All right, you mean you don't know whether you spent the night in the bull pen that night.

THE COURT: What correction is that, Mr. Darrow, what does it correct?

MR. DARROW: I don't know.

MR. BORAH: I suppose it is something in the witness' mind.

Q. Do you mean you don't know whether you stayed there that night? A. I don't know whether we were together that night or not.

Q. Oh, you and Riddell? A. Yes, sir.

MR. DARROW: That is all.

Cross-Examination By Mr. Borah.

Q. What you mean was that you did not remember whether you was really on bread and water then? A. Yes, that is it maybe.

Q. When did you first get acquainted with Riddell? A. I must have got acquainted with him January 5th. I noticed in looking over the lodging house books--

Q. Of what year? A. 1903.

Q. And you continued to be acquaintances and friends until what date? A. Well, you see he worked a month--

Q. Answer my question. A. Outside of that month he went to work we were continuously together.

Q. I said that you continued to be friends and acquaintances until what date? A. I cannot answer that question, because we did not continue from that time to be acquaintances and friends. I don't know as I even noticed him when he first come there.

Q. When did you come to be acquaintances and friends? A. With this 18th of March we became intimate.

Q. Of what year? A. 1903.

Q. And when did you first meet him? A. Immediately after that.

Q. And after the 18th of March, 1903, you continued to be acquaintances and friends until what date? A. Until I met him here in Boise.

Q. And had there been anything to disturb your friendship between the time, on the 18th day of March and the time you met him here in Boise? A. There had been things, but he always explained them.

Q. Had your friendship in any way been broken off or had he made his explanations satisfactory to you until you got here to Boise? A. He always had.

Q. Now, about what date was it that he proposed to blow up this town? A. He proposed to burn it up.

Q. Burn it up? A. That was--well it was in the fall, because we were eating turnips out on the porch.

Q. In what year? A. 1904.

Q. And you fix the time because there was turnips in the market? A. That is exactly the way I fix it.

Q. There could not have been turnips in the fall of 1903? A. I know it was not 1905, because the strike was settled then.

Q. Then you have it settled that after you met him in March it was that fall that he proposed to you to burn up the town? A. I met him in March, 1903.

Q. And it was in the fall of 1904 that he made this proposition to you? A. Yes, sir.

Q. Now, when was it he made the proposition to you to plant some dynamite about one or two of the mines? A. Mills, not mines.

Q. When was that? A. That was the latter part of October, 1903.

Q. 1903? A. Yes, sir.

Q. What town was it he was going to burn up? A. Telluride.

Q. Did any union men live in the town? A. The union men had property there, their houses and homes, but not many of them lived there then.

Q. And the proposition to blow up the mill was before the proposition to burn up the town? A. Yes, a year before.

Q. A year before? A. Yes, sir.

Q. Now, what other proposition did he make to you in the way of the commission of crime except the burning of the mill and burning up of the town--the blowing up of the mill, I should say, and when was it? A. Oh, well, in September there was one occasion I remember about--no, in March.

Q. What year? A. That was the same year that this was.

Q. 1904? A. Yes--1903, that was the occasion I spoke about; when we got acquainted.

Q. And was there any other suggestions of violence aside from these three incidents during the period of your friendship? A. There was a general--his general policy was to tell us that.

Q. I am asking now for any specific instances. A. Specific instances?

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EXPOSURE OF RIDDELL

(Continued from Page 2.)

kill anybody together? A. No, I don't think we did.

Q. You never got that far along did you? A. No, we went back to Telluride when Moyer came back there, when 67 of us went back there under the orders of Governor Peabody.

Q. Who were these people that went back at that time? Give me the names of some of them? A. There was Riddell, and there was Gus Mohart.

Q. Who was Gus Mohart? A. He was a brother-in-law of Adams there in Telluride.

Q. Was he a Pinkerton or a mine? A. We did not have but one Pinkerton, I guess.

Q. That is, you did not have but one that you knew of? A. That is all I know about and he kept us busy.

Q. And Gus Mohart was a miner, was he? A. Yes, he was a miner.

Q. Who else was with you? A. John Moki.

Q. Was he a miner? A. Yes, sir.

Q. And who else? A. He and his—there was a lot of Finlanders with him that went back at that time, and I don't know the names of those Finlanders.

Q. Were these sixty-seven men all miners except Riddell as far as you know? A. I believe they were—let me see: I believe they were, and Riddell was a miner, too. They were all miners.

Q. Yes, so far as you know, except Riddell—we will pass him for a minute for the time being? A. I will wait a minute before I answer that because I don't expect there were—I expect there was some few maybe that belonged to the Federal Labor union that worked in other crafts.

Q. They were union men, were they? A. The sixty-seven?

Q. Yes, A. I think probably every one of them belonged to a union.

Q. And was this the time that Moyer came down there? A. This was after they had captured Moyer and taken him to Telluride.

Q. This was after you had met Orchard? This was after I had met Orchard, yes.

Q. Did you see Orchard get off the train with Moyer? A. I saw them directly after they were off the train.

Q. Did you notice whether they were armed or not? A. Why, I— they were not afraid as far as anybody could see.

Q. You could not see their arms? A. Not their firearms.

Q. Whereabouts was Orchard talking at the time he was talking to Riddell when you saw them talking together? A. They were in the next to the front room on the lower floor of this Kitty Hite's hotel.

Q. Was this after the arrest of Moyer? A. I think they were there two evenings, and I don't know whether it was the first or second evening that this thing came up. I have been trying to figure it out.

Q. Do you know whether it was before or after the arrest of Moyer? A. I think Mr. Moyer was arrested the first evening he was in there; I am not certain.

Q. And was this conversation with Riddell before or after his arrest? A. It was probably after; I am not certain about that.

Q. You cannot say as that? A. No, I cannot say as to that.

Q. Was Orchard going by the name of Orchard? A. Harry Orchard, yes.

Q. He was known there as Harry Orchard? A. That is what Riddell told me; he says, "This is Harry Orchard."

Q. You did not hear of his going by any other name at that place? A. No, I never heard much about him.

Q. You did not hear him called Dempsey or Hogan? A. No, sir.

Q. When you were first put in charge of the civil authorities, what was the date of that? A. Well—

Q. The first time you were taken in charge by the civil authorities? A. That was the time we were arrested for blockading the sidewalks; that was in September.

Q. I don't know what you were arrested for. A. The time I spoke about being taken in charge by the civil authorities, when we were arrested for making signs and gestures with the intention of intimidating—

Q. When was that? A. That was the 21st day of December.

Q. 21st of December? A. The 21st or 22nd.

Q. 1903? A. 1903.

Q. Were the military authorities there at that time? A. Yes, the militia was there but there was no martial law.

Q. When was martial law declared in that district? A. It was after we got back.

Q. What was the date of it? A. I think that it was January the 3rd, at least that was the night that they sent down to the union hall and arrested these men.

Q. Was that the night martial law was declared, do you think? A. Yes, I think it was.

Q. What was the date of that? A. That was January the 3rd. I was behind the scenes then. I did not hear this proclamation read.

Q. January 3rd of what? A. 1904.

Q. Then, at the time you were arrested by the civil authorities was some time before martial law was declared? A. Yes, sir.

Q. Who else was arrested with you at that time? A. All the officers of the union that they could find.

Q. Were you an officer of the union at that time? A. I was on the strike committee.

Q. Who were the other members of the strike committee? A. Tom Corey, Guy Miller, Forbes, H. C. Voss, and I don't know whether Riddell was a member of the strike committee or not, but I know he acted with us.

Q. And it was at the time you were on the strike committee that you were arrested by the civil authorities? A. Not the first time, no.

Q. When was this strike committee formed? A. I think we had a joint meeting at Redmen's hall of both unions about September the 3rd.

Q. If you will give me the dates which I call for, is what I am getting at. A. I have not given you the date when I was arrested first by the civil authorities.

Q. I thought you said it was in December? A. I was arrested in December, but I was arrested before that and that has not been mentioned in my direct cross-examination.

Q. Well, this time you spoke of to Mr. Darrow was on December 23rd, 1903? A. Yes, sir.

Q. And that was before martial law was declared? It was after the soldiers came in there.

Q. And the soldiers got in there on what date? A. The soldiers got in there in November, I think about the 23rd. I think they started from Denver the 20th.

Q. What was the date of the organization of your strike committee? A. September the 2nd, 3rd or 4th possibly.

Q. And what was the date of the calling of the strike? A. September the 1st.

Q. Now, at the time the strike was called, what was the cause of the strike then? A. The millmen were all called out on account of this eight-hour proposition in the mills. They voted to ask for eight hours and if it was not given on September 1st they were going to walk out.

Q. How long did the strike continue there in Telluride? A. How long did the strike continue?

Q. Yes. A. Until December of 1904, I think.

Q. December what? A. December the—well, I think it is the 1st of December, that that was—that they posted notices that they would give eight hours.

Q. December 1st? A. Well, yes, I think it was December the 1st, 1904 or '05—now I think it was 1904, but possibly 1905 that they called it off.

MR. BORAH: I believe that is all. Re-direct Examination By Mr. Darrow.

Q. Mr. Barnes, I omitted one question: Was there some conference or meeting of the unions to take action about calling the strike off? A. Yes, sir.

Q. When was that? A. That was after I got back from Montrose. Let me see—it was about December the 12th or 15th; it was a special meeting.

Q. Of what year? A. 1903.

Q. Did you take part in it? A. Yes, sir.

Q. And Miller? A. Yes, sir.

Q. Which side were you on? A. We were all together that time excepting Riddell.

Q. All together for what? A. All together to call the strike off.

Q. What did Riddell do? A. Riddell said he would not stand for it.

Q. Did he make a speech against

it? A. Yes, sir, he did. We all made speeches.

Q. DID HE MAKE A SPEECH AGAINST CALLING IT OFF? A. YES, SIR.

Q. Anybody else make a speech against it but him? A. I think there was one fellow, I forget his name; he was a Finlander or a Norwegian, or a Swede that made this talk and maybe another talk.

Q. Was it Luplgw? A. I would not be certain about that Swede that supported Riddell in his argument.

Q. You don't know whether that is the name or not? A. No, he was a tall fellow; I was not very well acquainted with him.

MR. DARROW: That is all. Re-cross Examination By Mr. Borah.

Q. When was this occasion? A. That was December—well, I think it was between the 10th and 15th of December.

Q. Of 1903 or 1904? A. Yes, 1903.

Q. Who was it that was going to call off this strike—the strike committee? A. We always had to petition the president for calling a special meeting and give our reasons for calling it, and this strike committee met and agreed to have Guy Miller to call this special meeting.

Q. How many were there of you on the strike committee? A. Those I have mentioned five, didn't I.

Q. Perhaps it was; there was five on the strike committee? A. At different times they varied.

Q. How many were there on the strike committee at the time you caused the meeting to be held to call off the strike? A. Well, those that discussed it were—I can name those; there was Riddell and Guy Miller, and Carpenter—I never mentioned Carpenter before on this committee.

Q. He was one of the members of this strike committee? A. Yes, sir, Frank Carpenter and Tom Cory was in jail. We did not talk to him about it, but I talked to each one of these about it after I got back from Montrose, the same night I got back from Montrose.

Q. You were all in favor of it except Riddell? A. He said he would not stand for it.

Q. But you were all in favor of it except him? A. Yes, sir, we were all in favor of calling off the strike.

MR. BORAH: That is all.

MR. DARROW: You mean all the leaders, I suppose?

MR. RICHARDSON: The committee.

THE WITNESS: Yes, the strike committee.

MR. DARROW: That is all.

MOST ENTERTAINING

The court room was given over to continued laughter while M. E. White occupied the witness chair for 10 minutes at the end of the session, Monday, July 2. White is an Englishman and his manner was brisk and graphic. His "lousy as a cuckoo" brought down the house. This incident occurred a few weeks after the Vindicator explosion which killed a mine boss and superintendent, which was at once charged to the Union, and savage retaliatory measures resorted to, showing clearly to every union man now violent measures would destroy the Union. This was six months before the Independence explosion.

Direct Examination By Mr. Darrow.

Q. Give your name in full. A. M. E. White.

Q. And where do you live? A. Trinidad, Colorado.

Q. What is your business? A. I am an organizer at present.

Q. Of what? A. The coal miners.

Q. The Western Federation of Miners or the United Mine Workers? A. The Western Federation of Miners.

Q. Where were you in 1903? A. I was in Denver, Colorado.

Q. What was your—what were you doing there? A. I was a member of the executive board and the general organizer of the American Labor Union.

Q. Was that in any way connected with the Western Federation? A. I was not a member of the Western Federation, no, sir.

Q. Did you have occasion to go to Cripple Creek in December, 1903? A. Yes, sir.

Q. At what time? A. December the 23rd.

Q. And for what purpose? A. To look after the interests of the American Labor Union in the way of relief. A lot of our members were thrown out of work on account of the strike and a good many complaints came to the office.

MR. BORAH: We object to that. Q. You went to look after the interests of your organization? A. Yes, sir.

Q. What happened to you in December of 1903? A. Arriving at Victor about 6 o'clock in the evening the train was surrounded by militia. They gathered the passengers together and one of the captains or guards pointed to me and says, "Is your name White?" "And I says, "Yes, sir," and he said, "You are the man we want;" and I said, "There must be some mistake here. He said, "No, you are the man we are looking for." I started to walk off toward the town, down to Victor, and they pointed their rifles at me and called off, "Halt!" I stopped and they formed a square around me and marched me up a steep hill and threw me into the bull pen, a pen about eight or ten feet, built out of boards; and there must have been ten or fifteen soldiers in there, in that bull pen.

Q. Soldiers in the bull pen? A. Yes, sir, they were men who were fined for being drunk and all the bums and tramps they could pick up.

Q. Was there anybody else? A. There was one union miner in there, Victor Poole.

Q. How long did you stay? A. I stayed there—I was taken out again at five o'clock in the morning.

Q. How did you get along during the night? A. The place was overrun with vermin. I was about as lousy as a man could get; and the soldiers in the morning, they took off their shirts and picked the lice off and put them on the stove; there was a round stove in the center of the place; and during the night we laid on the floor. THEY TOLD ME IF A MAN STOOD UP YOU WAS LIABLE TO GET SHOT. The boys—the kids used to fool with the rifles and shoot through the bull pen once in a while.

Q. Was there any shooting that night? A. ABOUT HALF PAST ONE THERE WAS SEVERAL WENT THROUGH THE TOP OF THE BULL PEN. In the morning I was taken out and introduced to the day shift, and they were giving orders back and forwards—order No. 125—just as if war was going on.

Q. What was the character of the orders? A. "Take the prisoner out for breakfast." They were on tissue

paper, and there was so many of them they must have had a pile of clerks there; and I was taken out and the soldiers were lined up around the cook's place where they were cooking the grub; they had a nigger cook there a great big, stout, fat fellow; and they handed me breakfast. Then I was taken back to the guard house.

Q. After getting an order there for anything? A. Yes, sir, there was an order read there for everything. About ten o'clock the guard read another order and commanded me to come out of that bull pen and then read the order that the prisoner should be produced at military headquarters. They formed in a square, had their ammunition belts, and sabers on top of their guns, regular war fashion. They marched me through the streets of Victor and up to military headquarters and produced me before Major Verdeckberg.

Q. How many men were there? A. About twelve or fourteen.

Q. And you were the only prisoner? A. Yes, and I was a cripple at that.

Q. You were not armed? A. I never carry no arms.

Q. What was done with you after that? A. I tried to find out what I was in there for, and after I explained my mission to Major Verdeckberg he said he was very sorry this thing had happened because I belonged to the same order he did, and he was very nice to me.

Q. What order? A. The Woodmen of the World, and no man can be admitted to that order unless he is a desirable citizen. The Major said, however, IT WAS NOT VERY SAFE FOR ME TO STAY AROUND VICTOR AND HE WOULD NOT ADVISE ME TO LOOK AFTER ANYTHING, AND THE BEST THING FOR ME TO DO WAS TO LEAVE ON THE FOUR O'CLOCK SHORT LINE TRAIN.

Q. What did you do? A. I told the Major about the condition I was in, that I was as lousy as a cuckoo, and he called in the army doctor and he says, "Mr. White complains of the filthy condition of that pen," and he said, "I will send somebody else to clean that up;" and the Major said, "You clean that up or fix up another place and take those boys and boll them up and clean them up," and I was released and got out and shook the dust off my feet.

Q. And you have not been back? A. No, sir, and I don't propose to go back.

MR. DARROW: That is all.

MR. BORAH: We object to that. Q. You would like to inquire whether or not they did clean up that bull pen? A. I did not stay long enough to find out. He gave the orders to the doctor.

Q. To build another bull pen? A. That is, to fix up another place and clean up the business. He was a very nice man.

Q. When you got in there you found some soldiers in there? A. Yes, sir.

Q. For getting drunk and one thing and another? A. Yes, petty larceny and one thing, and another AND THEY HELD COURT OVER ME TOO, AND FINED ME \$5.00.

Q. They did not seem to be any respecter of persons? A. No; all they said was that if I did not dig up I would be hung in the morning or something—a pretty rough crowd.

MR. BORAH: I guess that is all.

THE COURT: If you have another short witness on this subject, Mr. Darrow, you better call him tonight.

MR. DARROW: I think that is the only short one I have tonight, your Honor.

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incriminating point. Consider a few points:

First. McParland spent three years as a "Mollie," leading them on and into crimes, all the while in pay of the Mine Owners. That sort of labor spy criminal is his specialty.

Second. He has his ordinary operatives in the Unions, advocating radical measures and secretly defeating their plans.

Third. Riddell advised Barnes actually to commit crimes. Riddell was more than an ordinary operative. Friedman says he did not see his reports like the rest. He plainly had a special mission—not to commit crimes himself, but to lead others into it.

Fourth. Orchard seems to have been deemed worthy to be another McParland—to become a Labor Spy Criminal in order to break up an organization which his employers find obnoxious to themselves.

Fifth. Recollect it is worth millions to the Mine Owners to destroy the Western Federation of Miners. Recollect McParland's business is to break up Labor Unions. Recollect acts of violence by Unions are the surest way to break them up.

Recollect McParland's minions are found in the Unions, always advising radical measures.

Recollect Steunenberg's assassination was sure to be laid to the Unions just as the Independence explosion was.

What more natural than to conclude that Orchard from the start was an instrument of the Pinkerton Detective Agency to destroy the Western Federation of Miners, associating with them intimately in pursuit of his design, and cunningly devising his "narrative to fit into all his active association with them? Falling to lead them into actual crime, he has performed the deed himself and lied it on to them, with the sacred prop of Christian Conversion to stay his lie.

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SECOND WEEK

(Continued from Page 1.)

exposure of the Pinkerton Agency, he replied, "I think the Pinks got off pretty lucky." When asked why, he said, "Because there was nothing incriminating shown."

That may be true. But circumstantial evidence comes pretty near the

ORCHARD EXHIBITING ORCHARD

I recall a conversation with a miner—now dead—whom I met in the Coeur d'Alenes about a year ago.

He told me of a night he spent with Orchard in the summer of 1905 while Orchard was at Wallace. They drank together and Orchard spun yarns half the night about his adventures since he left that district in 1899.

This miner said he never heard such wonderful stories as Orchard related that night. Hour after hour his narrative proceeded. According to his account he had been over half the earth and seen wonderful things. The miner told me he did not believe half the man said, but it was "damned interesting" as a story.

And there was not a suggestion of any criminal act in all the fairy tales he spun.

That is Orchard. He is a romancer, proud to be the hero of his own romances. He weaves truth and falsehood together so cunningly as to deceive with the greatest ease any one who is disposed beforehand to credit him. He has a remarkable memory for details and a very alert and plausible mind.

He is now engaged in the most skillful plot of his career. He has put himself on exhibition as the "Converted Criminal." Capital, the great employing and exploiting thing which runs civilization, but whose rule is endangered by Labor, has committed itself to the truth of Orchard's exhibit of himself. Orchard is interested to save his neck and Capital is almost equally interested to save its neck.

Therefore "McClure's Magazine" sends out Pious Turner and Brutal Munsterberg to pronounce Orchard sane and good and truthful.

Therefore correspondents in Boise like Davis of "The Times" and Thomas of "The Sun," misrepresent and belittle testimony for the Defense.

PROF. MUNSTERBERG AND POKER PLAYER ORCHARD.

Munsterberg, "professional psychologist," comes to Boise for a few days, sits in court with counsel for the Prosecution, hobnobs with Gooding and McParland and Orchard, spends "Eight Hours" with the famous prisoner, goes back to Boston and declares solemnly and scientifically, "Orchard is telling the truth."

Has he any psychological microscope by which he can illuminate Orchard's soul processes and investigate the intricacies of deception and self-interest which lurk in the heart of this Master Criminal?

He has not heard—nor waited to hear—the testimony of twenty witnesses who contradict Orchard and impeach Orchard's veracity. How about their soul processes in regard to truthfulness? He ought at least have spent an hour on each of these!

But no. This professor—hired and paid for by a great university whose lordly president judges a "Scab" a hero, whose faculty has not in its membership a single teacher in even scientific touch with the Proletariat, whose salaries are derived from the stolen profits furnished by the wage system, this professor whose face is as brutal and insensitive as Thug Mel-drum's, comes here like an owned slave and performs his master's service—gives a professional testimonial of good character to the most deliberate, smooth, satisfied criminal of modern times.

I am a graduate myself of the Medical Department of Harvard University. I spent years in its laboratories and hospitals. I learned there that no diagnosis should be reached till the fullest examination had been made, all the facts collated and every possible error eliminated. This is the method of science.

But this has not been the method of Munsterberg, and this is not the method of Harvard nor of any other American university with respect to economics and history.

Social science and psychological science are not conducted as the physical sciences—for the sake of ascertaining facts, but for the sake of fortifying and justifying the exploitation of Labor by Capital, upon which the Bread and Butter of all faculties depend.

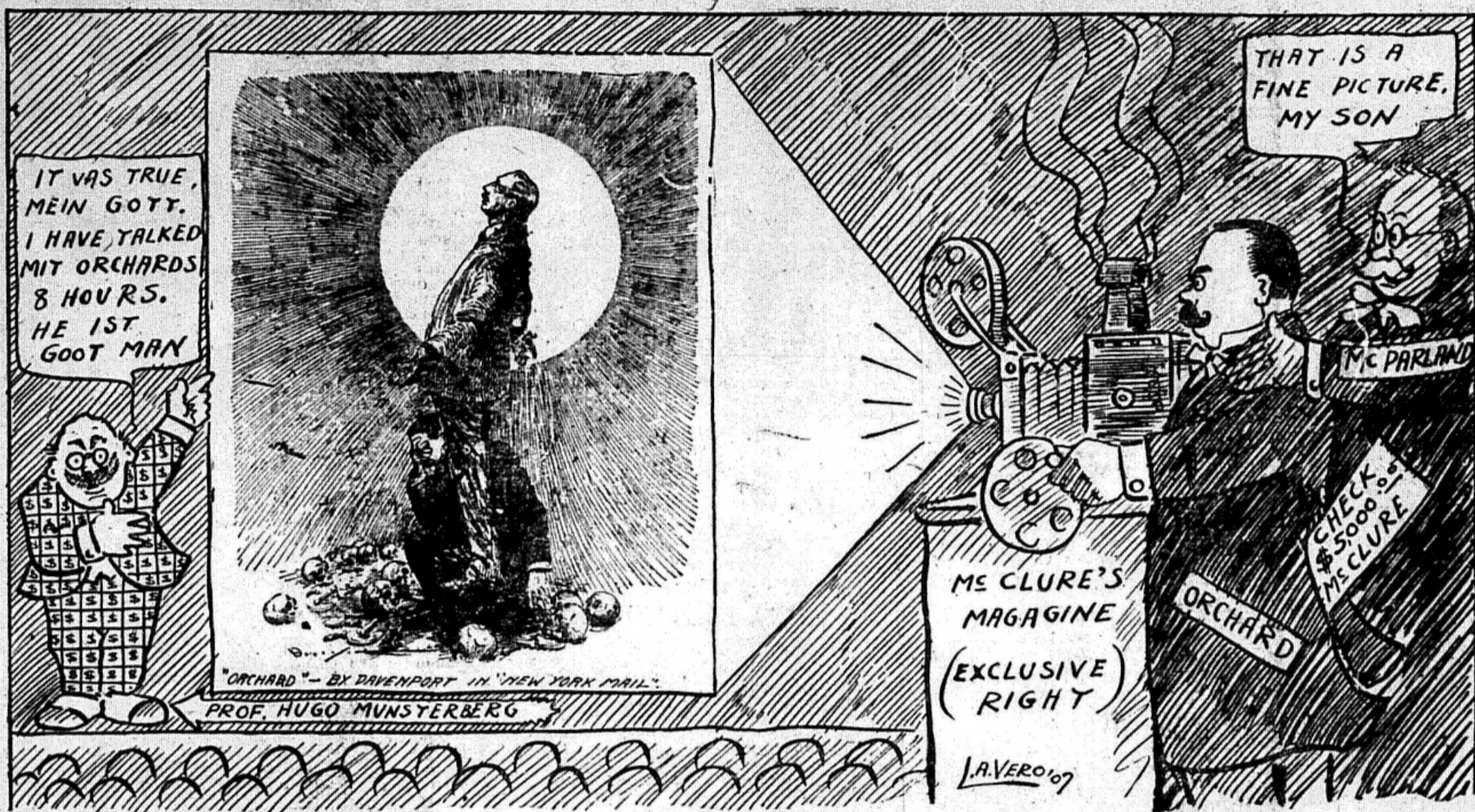
So we have Munsterberg in his hideous complacency pronouncing judgment irrespective of evidence and facts, at best a brutal student coming to establish preconceived theories, tied to bourgeois ideology, economically and hence intellectually incapable of progressive thought or even of scientific observation.

Munsterberg is a child in comparison with Orchard as far as acquaintance with life is concerned. The cloistered "philosopher," the wordy stu-

dent, in contrast with this man trained at the poker table, fighting shoulder to shoulder with "gun men" in every pioneer camp and city of the West—why, he is a baby set to watch a burglar. Orchard could handle Munsterberg as easily as Matthewson could strike him out at the bat, or Jack O'Brien knock him out in the ring. Orchard is the cat, Munsterberg the mouse.

The Conceited College Professor—"made in Germany"—an isolated prig, a school product, an unpracticed theorist, what a spectacle for the gods when he reports on an eight-hour investigation of the shrewdest man of the underworld ever yet discovered, that he is telling the truth!

Lord! Send a Virgin Professor from Vassar to report on Madame Hook, who has graduated from a Parlor House into a parlor!



DEPORTED TO KANSAS LINE

Brother of Pinkerton McParland. Driven Out of His Shoeshop for Mending Miners Shoes. Testifies as to Who Fired First Shot at Victor Riot. From Reports of Official Stenographer.

Edward L. McParland, being called as a witness on behalf of the defendant, and being first duly sworn, on oath testified as follows:

Direct Examination By Mr. Darrow.

Q. What is your name, please? A. Edward L. McParland.

Q. Are you a brother of James McParland, the detective? A. Yes, sir.

Q. Where do you live? A. Manitou, Colorado.

Q. Are you a member of the Western Federation of Miners? A. No, sir.

Q. What is your business? A. Boot and shoemaker.

Q. A shoemaker? A. Yes, sir.

Q. How long have you been a shoemaker? A. I went to serve my time at thirteen years of age.

Q. Where were you born? A. Ireland.

Q. When did you come to America? A. In 1876.

Q. Do you know Mr. Hayward? A. I never got acquainted with him and never saw him until I saw him in this court room.

Q. Or Mr. Moyer or Mr. Pettibone? A. I knew Mr. Moyer.

Q. Were you in Cripple Creek during the strike? A. No, sir, I was at Victor.

Q. Or Victor? A. Yes, sir, Victor. That is close to Cripple Creek?

Q. Six or seven miles.

Q. What were you doing in those days? A. Shoemaking.

Q. Were you there the day of the riot? A. Yes, sir.

Q. What were you doing that day? A. Shoemaking.

Q. Did you stick to your last or did you go out to see what was doing? A. I went out in the afternoon and went up to the meeting that was to be held by the citizens about 2:30.

Q. Did you dress up? A. No, sir, I locked the shop door and went out with my apron on.

Q. Did you have a coat on? A. No, sir.

Q. What was doing up there? A. Mr. Hemlin was up on a truck speaking.

Q. Did you hear him say anything? A. As I arrived there I heard him express the words, "It is up to you men to drive them over the hills and I will lead you."

THE COURT: What is that last answer?

THE WITNESS: And I will lead you. A voice from the crowd says, "Who do you mean," and then the shooting commenced.

Q. How much shooting was there? A. Well, I suppose there was 30 or 40 shots fired while I was there.

Q. He quit talking when the shooting began? A. He did.

Q. Where did you go? A. I returned to the shop as fast as I could get there.

Q. You went to your shop? A. Yes.

Q. How long did you stay in your shop? A. I stayed in my shop until about seven o'clock.

Q. Until twelve o'clock? A. Seven o'clock.

Q. And then what happened to you? A. Gene Scott, Harry Prink, and a militiaman in uniform and two others who I did not recognize came into the shop.

Q. What did they do? A. I says, "good evening, gentlemen." Some of them had been customers of mine.

Gene Scott and Pring walked each side of my bench and Gene says, "This is the son-of-a-bitch you want," and both caught hold of me and dragged me out. I asked them to let me take off my apron and put on my coat, but they said, no. They marched me up the street and about every five steps I got a blow from a gun across the kidneys until I reached the bull pen.

Q. Where did they take you? A. Brought me upstairs into the bull pen and searched me, and they took a knife and an Elk's visiting card which I produced and which I protested over their taking from me, and said it was no good to them, and one of them said, "We will see that it will be no good to you," and they kept it.

Q. Then what did they do? A. They kept me there from seven o'clock on Monday evening until the following Friday at 3:30.

Q. How many other people were there? A. There was about 200.

Q. What kind of people were they? A. Miners.

Q. Any besides miners? A. There was a newspaper editor there for a little while, but he was taken out again.

Q. I am glad of that. Then what happened? A. They came up and called the roll and we were marched out, 78 of us, between deputy sheriffs and the militia and you had to keep your hands pretty close or you would be cut with bayonets and we were put on the Short Line train.

Q. Then where did you go? A. I was about the last one getting onto the rear car and the salute was from the militia and the crowd standing by.

Q. You can take your damned shoemaker along with you," and I turned around and said, "They are taking a man that you could not say—" and I was knocked down with a gun into the car. The train pulled out and stopped at Cameron where we all had to get out of the car to be photographed.

Q. Were you photographed? A. We were photographed.

Q. You were not measured, were you? A. No, we were not measured, but we were brought to Colorado Springs and kept there for some time, and then they transferred us on to the Santa Fe road and at five o'clock on Sunday morning we were dumped off in a swamp at the Kansas line and three volleys were fired over our heads with the instructions, "Don't come back under the penalty of death."

Q. Well, what happened in Kansas? Did you stay there? A. No, we did not get to Kansas; the engineer refused to take us across the line.

Q. He left us in Colorado, did he? A. He left us in Colorado, but we were at the line. We then took a wash, all hands, in a large tank that was there, I suppose for cattle.

Q. That is what you thought it was for? A. That is what we thought it was for, and some of the men declared it was the largest wash basin they had ever washed in, and we returned to the railroad track and a work train come down with ties on it and the engineer slowed up and asked if we were the deported men, and we told him yes, and he told us all to get on, we all got on and he brought us into Holy.

Q. Holy, Colorado? A. Yes, sir. Holy, Colorado, where we were met by the mayor and the marshal and were marched into the town, and we were told that the town was ours as long as we conducted ourselves as gentlemen, and from our appearance, he said he thought we were nothing else.

Q. Did you send for assistance? A. Yes, sir, we sent for assistance.

Q. Where to? A. To Denver.

Q. To the Federation? A. Yes, sir.

Q. Did you find a shoemaker in the town? A. No, there was a harness maker there that done some shoemaking for the town, and after breakfast I went over to his shop and did some cobbling, helped to repair the boys shoes.

Q. Have you ever been back to Victor since? A. No, sir.

MR. DARROW: That is all.

Cross-Examination By Mr. Borah.

Q. What was the date that you were taken out of Victor? A. June the 10th.

Q. June the 10th? A. Yes, sir.

Q. Where were you the night of the explosion? A. I was in bed.

Q. And where was your bed? A. In my shop on Victor avenue.

Q. You slept in your shop? A. I slept in a rear room.

Q. And this time when you speak of Hamlin being in the street, was on the 10th, was it? A. It was on the 6th.

Q. It was on the evening of the 6th? A. The evening of the 6th, yes, sir.

Q. About two or three o'clock? A. I should judge about 2:30 I suppose, or something like that.

Q. And some eight or ten hours after the explosion? A. I don't know what time the explosion was.

Q. You know approximately what time it was. You lived right in the town. A. Well, Victor and Independence are not in one town.

Q. How far apart are they? A. They might be five or six miles, or seven miles.

Q. You don't know what time it took place? A. No, sir.

Q. I suppose you did hear from the newspapers or somewhere else that the depot was blown up? A. I heard of it in the morning.

Q. And this was you say, ten hours afterwards? A. Yes, sir, it was in the afternoon.

Q. Now, these people in the street, were they the people of the town generally? A. No, there was quite a number of strangers there that I did not know.

Q. Were the town people out in the street, too? A. Yes, sir, the town people, men, women and children.

Q. Men, women and children? A. Yes, sir.

Q. Of all vocations and walks in life? A. Yes, sir.

Q. And do you know who this was that said, "Who do you mean," when Hamlin said, "What are you going to do"? A. No, sir.

Q. Where were the first shots you heard? A. It was right from the men right there within two feet of him.

Q. From the men? A. From a man right within two feet of him.

Q. Who was he? A. He was a stranger to me.

Q. Where did the general shooting come from that you first heard? A. It was this man right side of the wagon. He shot in the direction of union hall.

Q. Do you know who this man was? A. No, sir, he was a stranger to me. Q. You did not identify any one who did the shooting, to know who they were? A. No, sir, I didn't take no time.

MR. BORAH: I believe that is all.

MR. DARROW: That is all—our question: Did you ever get your shoemaker's tools?

THE WITNESS: Part of them.

MR. DARROW: What became of the rest?

THE WITNESS: I could not tell you.

MR. DARROW: That is all.

MR. BORAH: No further questions.

Scott and K. C. Sterling in district attorney's office, Deputy Sheriff Underwood and District Attorney Cole being also present. From official Court Record.)

Q. Tell the jury what happened to you when you got up and dressed? A. I got up and went out and I had an overcoat in the jailer's office and I asked them if I could wear my overcoat out. Tom (deputy sheriff) told me I could and I put my overcoat on and I went with him, we walked down from the corner of A avenue and Bennett, that is the avenue the county jail is on, to the corner of First and Bennett avenue and he met D. C. Scott, that is, he and I met D. C. Scott on the corner, and they passed the time of the evening, and D. C. Scott turned around and walked on one side of me and Tom Underwood on the other and they took me down as far as the Brunswick saloon, and Scott asked Underwood, he said, "It is pretty cold tonight," he said, "have you got the price?" Underwood said that he had, and they stepped inside and I went with them and they wanted me to take a drink and I told them I didn't want anything to drink, so they took me from there to the district attorney's office, Trowbridge, and Mr. Cole was the assistant district attorney, and he was there. There was no lights in the building when we got there, they were using candles.

Q. For what reason, if you know? A. I don't know. Mr. Scott, stepped to the office, and this was in the rear of the Fairley-Lampham building.

Q. State whether the rest of the building and the outside of it was lighted up. A. The outside was all lighted up, but the hallway as we went up all was dark, I couldn't see nothing after I got to the top of the stairs, and it was in the rear of the building and we went back there and they were burning candles and Mr. Scott called Sterling—called up the National Hotel and Sterling appeared in a few moments.

Q. Now what occurred when Sterling and Scott got together with you in that room? A. WELL, THEY TOLD ME THAT MCKINNEY HAD CONFESSED TO THIS WRECKING OF THE FLORENCE & CRIPPLE CREEK RAILROAD AND IMPLICATED ME, AND TOLD ME I MIGHT AS WELL CONFESS, THAT THEY HAD POSITIVE PROOF AGAINST ME, AND THAT ANY EVIDENCE I MIGHT HAVE TO GIVE BEFORE THE COURT THAT THEY WOULD TEAR UP LIKE TISSUE PAPER WHEN IT CAME TO TRIAL.

Q. Which one told you that? A. Mr. Sterling. THEN MR. SCOTT TOLD ME, HE SAID, "WE HAD INTENDED TO GO PRETTY HARD WITH YOU, FOSTER, BUT WE WENT UP ON THE HILL AND SAW WHAT A NICE LITTLE FAMILY YOU HAD"—and I stopped him and told him that my family wasn't in need of any sympathy from him or anybody else, and he told me, he says "THEY WILL BE BEFORE YOU ARE THROUGH WITH IT, BEFORE WE ARE THROUGH WITH YOU." I told him to follow it up, that the burden of the proof rested with them, if they could find me guilty of a crime, that I would stand for it, but my family was absolutely innocent and I didn't want them connected with it.

Q. What did they say then? A. Underwood—or Scott and Sterling took a candle and stepped outside on the door and they came back in after a few moments and they told me to get ready and go, and I got up, and one stood one step in front and the other behind me and we walked until I could see the light at the head of the stairs, and we walked down, and when we got to the corner—this building is on the corner—and we started to go across the street and Underwood said to me, he said, "Well, Foster, you don't need to be afraid to take a drink now. It is all over with," and I believe I said, "Whenever I feel like taking a drink I will take one, but when I don't," I said, "there ain't no lever purchase that will make me take one"

Q. Now, what will make you take one? A. I said that "no lever purchase could make me,"—they couldn't bring no lever to make me; and they went to Colonel Morris' and took a drink and I took a cigar and they took me as far as Bennett, and Scott told Underwood, he said, "I guess, Tom, you can handle him now," and I said, I told him, "I came here alone in the first place and I know where the place is, I can go back now without either one of you." So Underwood took me to the jail and he told John Baker, he said, "YOU PUT HIM IN SOLITARY CONFINEMENT," he said, "WE WILL TRY TO REFRESH HIS MEMORY," and they put me in solitary confinement for seventeen days.

Foster was finally released on February 4, having been tried and acquitted. On trial McKinney denied his confession and denied his denial.

Foster remained in district till after Independence explosion, June 6, 1904, when he walked out 30 or 40 miles by night, reaching Canyon City after 36 hours without food—because they were capturing all Union Men in district.

Labor should begin to vote for its own self-interest—as the Merchant Class and Capitalist Class always do vote.

Mr. Heney and his backer, Spreckels, want Labor "to vote on principle" and support their candidates at the next election.

Had the Labor Class been intelligent enough to "vote for their self-interest," they would never have elected Schmitz, who did not stand at any time for the Working Class, but rather for the Merchant Class, assisted by the Working Class.

If now the Labor Class have to suffer all branches of the Merchant Class, whether represented by Schmitz and Ruef or by Heney and Spreckels, stop "voting on principle" and begin voting for their own class interests, they will not be overwhelmed with disgrace as now in San Francisco.

"Moral principles" are a bait for the Labor Class before it gets anywhere. The only "Moral Principle" which are really moral, are Class Principles. Vote for your own class interests or you will be immoral indeed.

When will labor learn that it is immoral to vote for any other class than its own, no matter whether it is called "Union Labor Party" or Republican or Democratic or Independent?

THE TRUSTEE PRINTING COMPANY.

Just to let you know the company is still doing business at the old stand. In the past month we have turned out a lot of job printing in connection with the paper, and that department of our business is now on a substantial footing. We have a plant the value of which is estimated to be in the neighborhood of \$1,000, in addition to the office furniture and the property of the paper.

There are a few hundred shares of the stock of the company still unsold. We want to install a press and a linotype. To do this we will have to sell all the stock we have now in the treasury and perhaps increase our capitalization. We want to do this quick, and will have to have your help.

Try and get in this week with a subscription for ten shares of stock, which you can pay for at the rate of a dollar a month and never feel it, thus doing something for Socialism and at the same time making what some conservative business men among the Seattle Socialists consider a good business investment.

The Socialist

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ATTEMPT TO EXTORT CONFESSION

Thos. C. Foster, who gave the following testimony, July 2, 1907, was tried and acquitted for attempted derailing of train in November, 1903. When this attempt was made by detectives, he had already been in prison in independence for about one month, having given himself up when he heard the military was after him. (Interview with Detectives D. C.