Per Year - \$1.00 Six Months - 50 Cents Three Months, 25 Cents

The Socialist

To Organize the Slaves of Capital to Vote Their Own Emancipation

SEVENTH YEAR - No. 336

SEATTLE, WASHINGTON, SATURDAY, JULY 27, 1907

PRICE FIVE CENTS

DARROW'S GREAT PLEA FOR HAYWOOD'S LIBERTY

THE CASE FOR PRO-**SECUTION**

With a New Defense Out-

Boise, Idaho, July 21, 1907. Big Jim Hawley," "Uncle Jim Haw "Old Jim Hawley" has made his final speech, seven hours long, aded to the jury, and the case for prosecution is completed—except ing only Borah's last effort.

But Borah can add nothing. We have all heard the evidence. A dozen reporters could have made a better presentation than Hawley did. He is a sad old "Has Been." His address was tedious to the extreme. The jury

Yet his language was not over their heads. He sat on the edge of the table most of the time, pleading he was too ill to stand up. The court room was at no time full. Boise people have never had much interest and have less now than ever. Probably Darrow and Borah will draw a couple of hundred more people—enough to pack the little court room. Perhaps Richardson, also, who is really an ora tor of the declamatory sort, may get

The case for the state is quickly old. Hawley might well be sick with such a case to prosecute. All he had to do was to rehearse what Orchard said and to call every one a perjurer who disagreed with Orchard. That is no fiction. It is the sum and sul stance of the state's case. Orchard tells the truth. Everybody else lies.

And why are we to believe Orchard? First: Because he is a Christian. As Hawley said, "The fear of God is

Second: Because he had no motive to commit these murders, therefore somebody else must have set him on.

This last is the main reliance of the prosecution to secure a verdict from

Here is the argument: An attempt was made to blow up Judge Goddard by a bomb at his gateway. Orchard says he did it, tells where to look for the bomb and it is found where he

Or the Independence depot is blown as if Orchard did it as he says he

reason had Orchard for doing these things? He had no personal ill will against Goddard, or Peabody, or Beck. or McCormick, or those scabs or Brad ley, or Gov. Steunenberg.

But the Federation leaders had cause for enmity toward them all. They all stood in their way at one time or another. The "Miners' Maga zine" reflected that enmity. They had a motive and Orchard only worked for them because he was paid by them.

All the argument of Hawley from first to last was just that and no more He recled off the hours describing in detail the different outrages and crimes given in Orchard's "narrative" and much less interestingly than-Orchard, and at the close of each eniside be declared with all the energy he could summon: "NOW WHAT MO TIVE HAD ORCHARD TO DO THIS No man goes around the world committing murder for the fun

To meet this argument the defense intended to show the jury that the Pinkertons and mine owners had a bigger motive, far bigger, than the all that out, leaving the defense al most helpless, as I have elsewhere

defense was it did not cover all the cases in point. For instance, the defense did not claim that the attempt on Goddard was planned and execut ed by the Pinkertons in order to in jure the Federation; nor was it alleged by the defense that Steunenberg was killed for that reason. The main line of the defense has been broken

EVERYBODY IS GUESSING

What Verdict Will Ber-Titus Says Hung Jury Borah Not In It Alongside Darrow

BOISE, July 26.—(Special Dispatch to "The Socialist)-Borah's argument petered out tonight. He began weak last night and ended weak tonight. But he was strong and clear for three hours this morning. He rests the whole case on circumstantial evidence of a conspiracy, practically all simmering down to the alleged Pettibone letter to

Borah contrasted pitiably with Darrow, seeming like a school boy speaking his piece; yet it seemed as if he were not trying. Either he does not care for conviction or he is sure of it, so it seems

Everybody is guessing at what the verdiot will be. From certain straws I guess as follows: For acquittal, Gess, McBean, and Burns; for conviction, Schrivener, Seburn and Powell; possibly for acquittal, Clark, Russell and Robertson; unknown, Messecar, Gilman and Smith.

don't know what the jury will do any better than outsiders. The jury don't like their guardians. A prominent

speech should be read carefully by every workingman. "The Socialist" is the first to print it. No paper is using

Following our "Verdict Edition" of next week will appear an "Historical Edition" containing exclusive and hitherto unpublished pictures of the trial, printed on a flat bed press in elegant style. "The Socialist," it is acknowledged everywhere, has given the most analytical reports of the great trial. One feature attempted by no other papers has been verbatim reports, eagerly road by all comrades. Haywood's testimony cost this paper considerable money, but I am resolved "The Socialist" shall be a first-class newspaper in labor matters. If you take "The Socialist" you will find out what happens, and what it all means.

Again I say, read Darrow's speech. It strikes high notes at every turn. It challenges capitalist opposition and discussion. Even if it loces this verdict, as some claim, it will win the verdict from the working class, that

Haywood will not hang, even if convicted, but the battle will be waged with ten-fold strength for every hour he

Tonight it is reported on good authority that every witness from Cripple Creek who appeared for the defense is blacklisted. All right, Colorado capitalists, if you like that sort of thing keep it up. He laughs best who laughs last.

ORCHARD EXHIBITS HIMSELF



Drawn from a Photograph taken in Salt Lake City in 1903—Exhibit of the Defense

that Orchard had personal enmity. That was sufficient for that case.

For the Vindicator explosion, it has een proved, or nearly proved, that that was an accident.

So with the Bradley explosion-it vas probably a gas explosion.

Lyte Gregory's case has hardly been onched by the defense—except to show how the United Mine Workers had more cause to hate him than the The Independence depot explosion

he crux of the de case. There it has been clearly proved-though not to Judge Wood's atisfaction-that the mine owners had not only a powerful motive, namely to create public indignation against the Federation and to afford occasion for deporting them, but that their detectives acted so suspiciously before and after the explosion as to create a strong presumption of their complicity

The spike pulling case was even stronger, for here it was hardly disputed that Detectives Sterling and Scott arranged a fake accident to discredit the unions. And no accident actually occurred here. It was only a scare, and the prosecution claims it did not introduce this case as part of the alleged conspiracy.

It is therefore seen how scattered the defense has made its line. It has many different ways of explaining or accounting for the different outrages Some are accidents; some are committed by the mine owners; one is due to Orchard's personal grudge while some are wholly unaccounted

The one explanation which would cover all satisfactorily has hardly been named by the defense. That is Orchard's mania for crime. He is one who needs no motive, but his own inward impulse. He is what the students call a congenital criminal. That is, he was born with an impulse to criminality.

fesses to which the Federation leaders certainly did NOT put him up to. Why did he burn up his che

Why did he burglarize the depot

and a saloon in the Coeur d'Alenes? Why did he propose to kidnap Gus

Why did he contemplate counterfeit. ing and even smuggling?

Haywood surely was not the caus of all these and other crimes proved

No; the true reason, as I believe, is found in Orchard's inherited tendency the ordinary being. His grandfather was insane; his uncle was insane both had delusions about great crimes committed

ommitted.

Look at the picture of Orchard which he had taken of himself in Salt ake City, somewhere back in 1902.

Nothing has been made of this ph tograph although it was introduced in evidence. To me it seems the key to the whole situation.

Orchard is standing beside a card table. He holds some cards in his left hand. In his right hand is a smoking revolver, while across the gaming tae one of his fellow players has fallen shot to death. The third player stands alongside a silent witness Oichard has a cigar between his teeth and looks the cool bravo. He is pos ing as a criminal, a murderer.

Orchard's grandfather was insane with that same idea. His grandfath er's son was insane with that idea, and Orchard is insane with pride of crime. Some of these crimes he has con mitted, and some doubtless he has not committed, but adds them to his string to swell that insane head of his which can only be satisfied with enormities.

That line of defense would answe completely and to the satisfaction of every juror this insistent question of the prosecution: "What possible mo tive had Orchard?"

But, on the other hand, the state has proved nothing, absolutely noth-It has a consistent theory, but no

the Federation leaders. As I have pointed out a score of times, the mo-

can see now why Mr. Borah has been so contented and easy going. He did not need to exert himself.

I saw Judge Wood and Senator Borah in close consultation and private conversation for some twenty minutes at a critical stage of the case, and understanding between them at all stages of the case.

The critical decision rendered by Judge Wood this (Friday) noon, July 19, practically destroys the elaborate structure raised by the defense and its witnesses. For the theory by

tive was NOT to commit crime, because crimes always hurt the unions. They knew it too well ever since

But these crimes have been committed, probably by Orchard.

with the leaders of the Federation while committing these crimes. But that does not prove they did

ably inhuman, but inconceivably foolish and injurious to their own cause. Undoubtedly Orchard was in Pinkerton employ at times, perhaps al

But undoubtedly also he was al ways his grandfather's descendant, with an insatiable hunger for secret criminal satisfaction.

This theory fits into all the facts of the case. It explains perfectly what has hitherto been inexplicable. It gives a motive. It makes neither miners nor mine owners the hideous crim-The fight between classes has been bad enough. Excesses have been shown on both sides, inseparable from

are ascribed to a diseased monster, a really un-human product, no more to be charged up to the moral account of HERMON F. TITUS.

chief counsel for the prosecution. We accounted for the alleged crimes, out ber, 1904. side of Steunenberg's assassination, especially for the Independence depot explosion June 6, 1904, has been a mine owners' or Pinkerton conspir-

> read, prohibits the jury from consider ing at all this explanation of a counter

This leaves the jury to explain thes events claimed by Orchard either as he explains them, or as Orchard's own unaided acts, unconnected either with miners or mine owners.

But for this latter explanation the defense has laid almost no foundation-except with respect to the Ster nenberg case. This is accounted for by Orchard's personal grudge, often

As I pointed out last week the de fense seems to have neglected or overmania, which I pointed out on March 1906, and often since, and which nov comes to the front in Orchard's an cestors, as just discovered, but too late to introduce into the case.

Lawyer Hawley opened for the state today and it is at once seen how strongly he proposes to bear down on The state's whole case consists o

series of unusual and terrible events which Orchard says are to be ac eading members of the Western Fed eration of Miners to annihilate their opponents.

They begin with the blowing up

the Bunker Hill and Sullivan mill a Wardner, April 29, 1899, which was indoubtedly done by union men, who ever instigated them.

plosion at Cripple Creek, Colorado ber, 1903, killing McCormick and Beck, superintendent and mana

6, 1904, killing some 14 non-union

Then Bradley, former mine superin tendent of the Bunker Hill and Sullivan mine in 1899, is nearly killed by an explosion at his own door, Novem-

Finally, ex-Gov. Steunenberg, who established the Bull Pen in 1899, after the Bunker Hill and Sullivan explo-30, 1905,

There are others-Lyte Gregory's death in May, 1904, the Goddard bomb leged Gabbert and Peabody and Bell attempts.

These were all simed at enemies f the Western Federation of Miners. The prosecution charges they constitute evidence of a conspiracy. Orchard professes to give the inside history of such a conspiracy.

Mr. Hawley argued today, if the Vindicator explosion was not an acci dent then there is no way of account ing for it, except by a conspiracy on the part of the officials of the Western Federation of Miners, just as Orchard

The state will say the same thing of the Independence explosion and of the rest

Judge Wood has estopped the deense from claiming the Pinkertons did it, or the mine owners did it. The question is now: How will the

defense explain these occurrences to the jury? If they had introduced testimony

showing Orchard a degenerate; if they had proved that his maternal grandfather confessed to crimes committee in his youth in Ireland and died a chained maniac because of these real or fancied crimes; if they had also shown that Orchard's mother's brother hung himself because of a confessed crime; if a commission of neurologists had experted his case, then the jury would have had a plausible theory on which to explain all these criminal or extraordinary events, without being driven by Judge Wood's decision to the theory of the prosecution.

Personally, I had almost come to the conclusion, as indicated last week, that the Pinkertons had selected Orchard somewhere in 1903 to lead the officials of the Western Federation of

stances, sufficient to hang them.

I think Judge Wood, in withdrawing all evidence tending to establish such a Pinkerton plot from consideration by the jury, has dealt a body blow at the defense and rendered possible a ver dict of conviction

FOR THE DEFENSE HAS NO THEORY LEFT SUFFICIENT TO EX-PLAIN THINGS SATISFACTORILY TO A PREJUDICED JURY.

.

no professional training in the law. But it seems to my lay mind that all this evidence now excluded by Judge Wood, was competent for a reason not urged by the lawyers, namely; TO SHOW THE IMPOSSIBILITY OF THE ALLEGED MOTIVE FOR THESE CRIMES BY HAYWOOD AND MOYER.

The entire series of transactions at Cripple Creek and Telluride, all the conflicts, deportations, Bull Pens, military rule, Pinkerton spy system, brought one fact to the fore-and the jury cannot forget it, even if bidden to do so-and that fact is, THAT EV-ERY ACT OF VIOLENCE INJURED THE MINERS AND HELPED THE MINE OWNERS The fact renders impossible and in-

conceivable the motive alleged against Haywood, violence in order to injure the mine owners and to help his own organization. They did not help, they ruined his

Federation wherever they occurred. I say it seems to me Judge Wood would have had no excuse for exclud-

ing all this evidence he has today excluded from the jury, if the claim for its retention had been made ON
THE GROUND THAT IT PROVED HAYWOOD'S MOTIVE, AS ALLEGED BY THE STATE, TO BE IMPOSSI-BLE.

But I am no lawyer, only a free fighter for these imprisoned and en-dangered proletarian brothers of mine, but exasperated and saddened tonight at this latest Capitalistic send them to the gallows. move to

Yet there are reasons for hope.

One reason is found in the fact that the jury may judge Orchard more wisely than we think. The evidence

FOR ORCH-Verbatim Report from Court

WE ARE HERE AS

More than that, gentlemen, we are all

law.

More than that, gentlemen, we are all human. We have come into this contround and into this community, a consuminity that has been deliberately the soned for a year and a hair, meaning where feeling, and seement, and hatred has been deliberately into against this defendant and electronic acommunity where feeling, and seement, against this defendant and fee file has been sent broadcast like form to infect the minds of mild feeling and the feeling and the same emotion, a part of the life that is ground us, and it is not in the nature of things that this court of the life that is ground us, and it is not in the nature of things that this court of this lury would unknow it was light for you. You would know it was light for you. You would know it was light for the life that is ground us, and it is not in the nature of things that this court or this lury would not to some degree have been influenced by it that has gone before.

But, gentlemen, as men go, as we see our neighbors and our friends. I have

(Continued on Page 2.)

No More, No Less - - Work and Fit Guaranteed

DAVID WEIL & CO., TAILORS

2217 1st Ave., Seattle 5227, Ind. ASIGO

The House of Quality

We do exactly what we advertise - we run no fake sales.

Under the system known as the "sliding scale system" pianos are marked from \$50 to \$200 high, then fake sales are advertised and the public is told of "great reductions.". The reasons for holding these sales sound so plausible that the poor unsuspecting buyer is sometimes entrapped. Somebody has to pay for the advertising of these sales. Do not be caught.

Our system is absolutely one price. Let us show you how we do it.

Sherman, Clay & Company 1408 Second Avenue

The Royal Market

Fresh and Cured Meats

Phones Main 2051-Ind. 701

315 PIKE STREET

Spring 1907 Regal \$15 Suits Now Here

THEHUB

615-17 First Ave. Seattle, Wn. On the Square Opposite the Totem Pole

Wallin @ Nordstrom

Well Known Shoe Dealers

New Location Arcade Building, 1327 Second Avenue.

Drugs Help Vos and We'll Drugs

Give us your trade, we will treat you right Both Phones, 982 - Free Delivery

Swift's Pharmacy

Fruit -- ICE CREAM SODA 5c -- Candies Best in the City Best for Least Money BOSTON CANDY KITCHEN 913 Second Avenue - - Near Madison Street

LOWMAN & HANFORD CO.

STATIONERY

ENGRAVED CALLING CARDS

THE LARGEST STOCK OF MISCELLANEOUS BOOKS IN THE NORTHWEST

616-620 FIRST AVENUE

SEATTLE

Star Paint and Wall Paper Company

LATEST AND MOST POPULAR PAPER HANGINGS
Distributers of Sherwin Williams Celebrated Paints
SEATTLE, WASH.

UNION BAKERY RESTAURANT GOOD THINGS TO EAT

Both Phones Main 880 217 Pike St.

DR. G. M. HAWKINS, Physician and DR. SAMUEL JOHNSON STEWART, Surgeon-Phone Sunset Queen Anne (129. Hours, 2 to 4 and 7 to 8 p. m. 105 Fi. h Avenue N., corner Denny Way, Senttle, Wash.

Physician and Surgeon Residence 933 Twelfth Avenue S., Beacon Hill. Office 609 Piones Block, Pio-neer Place, Seattle, awab.

"DON'T COMPROMISE! DON'T BE COWARDS!!"

ingure whatever in this case. If any word of mine or any act of this defendant's could being back this life of which we have heard, how quick we would do that act; but the past is settled. No result from this jury can call that man back to life; no verdict that you can give can bring back the father or bring back the husband or in any degree lessen the pang that must have come to those near and dear for the murder of that man. You cannot do this. All you can do, gentlemen, with your weak power,—all you can do toward fixing up the schemes of the Almighty—all you can do is to make more widows and more orphans on account of the death of Steunenberg, and if this jury wants to take that responsibility in this case upon this evidence, well and good. May peace be with you.

VOTE EITHER GUILTY OR NOT GUILTY.

Gentlemen, I ask then, that each one of you will vote guilty or not guilty. This man has been in isli for eighteen months. He has no right to be in jail aniuste longer unless under the law and under the evidence you believe him guilty, and then under the law and the eyidence—or rather under the law, it is eyour duty to take away that life that God gave him. I would not. I would not on kill a man in any other cold all the eyour duty is personaistility. I could not. I would as soon kill a man in any other cold blooded way as to hang him as a juror. But that is a question of feeling and that proposition. You don't believe as do, and therefore your duty is percetty clear. If you think the evidence justifies it under the laws of this land, then it is death, and we have no complaint to make—none.

day in laif to tear in man to guilty, way.

You have listened to the argument of Mr. Hawley in this case. He told you how honest he was. Now, I will not tell you anything about that; you will have to find out from my argument whether I am or not, and whether I am does not make any difference with this case, and whether Mr. Hawley is does not make any difference with this case, and whether Mr. Hawley is does not make any difference with this case. You are the sand Mr. Hawley is does not make any difference with the termine this said Mr. Hawley is does not make any difference with the said whether Mr. Hawley is does not make any difference with the said whether Mr. Hawley is does not are the said to the said mr. Hawley is does unless the believed thus defendant guilty. Now, why? Is he prosecuting it because he thinks he may want to put another so with the said wants some more defendency warrants with which to do it? Which is it? Has any man a right to make a statement like that? I hope the is not anybody here who cares a final case. He may be bughouse, and he is if all of his statements are true,—e he is worse. Let me show you what he said, and then judge for yourselves.

ted perjury because they have sworn against Orchard. He has got Orcharditis—or Orchard itch, would be a better term for it. Too bad the old gentleman could not have closed his career before he reached this case and made this swful statement to twelve men who must live, in a community where he lives for the rest of his life. Tell me that everybody is a perjurer who has sworn against Orchard!

Let us see now, gentlemen: I will just give you a specimen. When I opened this case I said to this jury that before the first witness left the stand I would convince Mr. Hawley that his precious client had iled upon one important fact. Now, I want to apologise to the jury.—I did not. That is because I did not understand Mr. Hawley. I thought he had some sense. Let me tell you who the first witness in this case was—you may have forgotten it, it was so long ago; it was Mrs. King. Do you remember Mrs. King! Let us hold an inquest on Hawley's sanity for a minute, and let us see whether he is sane or insane or has not told the truth to the jury.—

Now, gentlemen, Mrs. King was a martronly woman of perhaps 55 or 56 years

whether he is sane or insane or has not told the truit to the jury.

Now, gentlemen, Mrs. King was a marronly woman of perhaps 55 or 56 years of age, she was not a member of the Western Federation of Miners, she did not work in the mines at all. She has two sons working in the mines and they are both scabs, so she would not favor us on that account; both of them are working there now, neither one belonged to the union. I submit there has not been a witness placed upon this stand in this trial who had more of the appearance of truth and candor and integrity than Mrs. King. Is there any doubt about it? Is there any man in this jury box that would not as soon doubt his own wife, except for the fact that she is his own wife, as Mrs. King? I don't believe it. Will you tell me what license this bired man has for jurer to get the blood of Mr. Haywood? few pairty deficiency warrants, to show to this jury box that Mrs. King a show to this jury that Mrs. King a show to this jury box that would not as soon doubt his own wife, except for the fact that she is his own wife, as Mrs. King? what license this hired man has for a jurer to get the blood of Mr. Haywood? few paliry deficiency warrants, to show to this jury that Mrs. King is a per-And yet you twelve men are expected to take that sort of talk so you can get his blood and accommodate Mr. Hawley with another scalp at his belt in his declining years!

PERJURERS?

against their enemies; they may have done it; as I look at them I think they might, and I think they may again in might, and I think they may again in what appealed to them as a righteous cause, and long ago it was written down "That greater love hath no man than this, that he would give his life for his fellow man." this, that he would give his life for his fellow man."

And Bill Davis, safe and secure in Nevada,—Nevada which has held out its welcoming arms to all those exiles from Peabodyism in Colorado and which asked these strong men and strong hearts to come into her mines and help develop her resources,—he was safe there in Nevada, but he read Harry Orchard's testimony; he knew the men that were here fighting this contest; he knew Hawley; he knew that six years ago this mill was blown up in the Coeur d'Alenes and two men killed; he knew that his enemies had laid it to him; he knew that Idaho was a hostile land, and yet he came up here and put his neck in the halter and gave Mr. Hawley the other end, and testified for his friend.

You may abuse him, gentlemen; I don't care a continental whether he was

tille land, and yet he came up here and pave Mr. Hawley the other end, and testified for his friend.

You may abuse him, gentlemen; I don't care a continental whether he was at the Bunker Hill mill or not. If there is a man on thi sjury who is in dire necessity and great stress, a man who needs a friend and adviser, a man of a loyal heart and a square friend, and above all, a conscience, if he would not turn from that monster, Harry Orchard, and grasp the honest hand of Bill Davis, then I miss my guess upon every one of you twelve men.

But let us cut out the Western Federation men for a moment. I am just going to give you a little object lesson—a little advance sketch of Harry Orchard as I know him. Not the scraph with the wings supported on one side by Hawley and upon the other by Father McParland,—not he. I don't know that Harry,—nobody else does, excepting Hawley; even the Senator has not got acquainted with him, and I don't think he will stand for it. Even the Senator, if he honestly thought that Harry was going to heaven, would do his level best to go the other way, and would probably succeed.

Let me give you just another little easy one—easy almost as these three women; we will discuss something harder; pretty soon. I want to see whether I can get the right focus on this feliou before we get ipto the seriously money and the lam soon of the right of the seriously money to take away the life of a humber of the case, and two lawyers scrously or one to take away the life of a humber of the respective of the case, and two lawyers scrously or the face of the earth, and for the very simple reason that a land could not be strilized where such a thing would be done, and it won't be dens here in Idaho.

THE GROTE-RANKIN CO.

Complete Furnishers of Homes, Hotels and Steamboats

The Proper Place to Buy **Furniture**

Is the place where quality is given due consideration, prices are fair, service is prompt and treatment courteous.

In the short time we have been in Seattle, we seem to have gained a reputation for selling

"Good Goods at Reasonable Prices"

as well as for making it easy for the laboring man to enjoy the pleasures and comforts of a well-furnished home by paying what he can when purchases are made, the balance being paid in installments at intervals to suit purchaser.

You are perfectly safe in buying at the Grote-Rankin Store, as every effort is put forth to see that store service is the best, that goods are marked fairly, and that every customer is satisfied, no marter how small or how large his purchase.

Watch our advertisements in the Daily papers for Special Bargains.

The Store That Saves You



Everything Make the Home Comfortable

Calhoun Denny & Ewing

tice in all State and Federal Courts including the U.S. Supreme Court. Offices: 30, 31, 32 Union Block Phones Main 3928, Independent 1888 Seattle, Washington.

GEO. B. HELGESEN Grocery -- Meat Market

Importer of Norwegian and Swedis Specialties-Wholesale Agent for "NUTRETO"

Phones, Main 3428, Ind. 1384

1925-29 First Ave., cor- Virginia Stree

Sunset Main 223 - Phones-Ind. 223 KRISTOFERSON PASTEURIZED MILK

AND CREAM 1218 First Ave., S. - . SEATTLE

THE VITAL POINT IS, DID MARRY ORCHARD LIE, OR DID SOME-ONE ELSE?"

Now, did Harry Orchard lie, or some one else? Here is the most vital point in this case as to whether this butcher had any motive in butchering Steunenberg. Did he lie in reference to the mine? Why, Mr. Hawley says he did not, for here is the deed—here is the deed. He sold it, and of course he could not expect to have had anything afterward. I don't know whether you fellows were ever prospectors or not; I have been all my life,—after one thing or another,—not necessarily gold. I never prospected when I got anything, but I always thought I was going to and I never gave one up until I had to. I have been all my life,—after one thing or another,—not necessarily gold. I never prospected when I got anything, but I always thought I was going to and I never gave one up until I had to. That is the nature of us. If it was not, out and die and die right away. We always think it will rain more next year than this year and the grass-hoppers and the bugs won't be so thick,—I just give you this to show you my familiarity with farming,—but we are all prospectors one way or another.

Now, Harry Orchard was prospecting; he had been digging in the Hercules mine, not very much, for Harry don't dig; he knows an easier way of getting a living than digging and so he did not dig, he plays peker. Of course I don't mean to criticise him for that, for we all gamble one way or another, but he does not sweat much, and he did not learn to lead an easy life after he met Pettibone,—it was before that. Harry would have made a good lawyer, for he can get along without working about as easy as anybody I know of. He got interested in this prospect, but he was gambling, and while he was gambling, he was getting some debts. He always did have, but it did not bother Harry. It did not bother Harry before he got religion—I don't know how he is now; I am going to talk about his religion after a while. Well, he got into this mine sail right, and know how he is now; I am going to talk about his religion after a while. Well, he got into this mine sail right, and know how he is now; I am going to talk about his religion after a while. Well, he got into this mine sail right, and he made his respect hole; nobody does excepting the man who has it,—a man always thought, after he made his strike somewhere, presumably at the card table, he would go back and redeem that as everybody always expects to, as he thought there was some value in it, but he made it for a little nothing to pay his debts.

Now, what we claim is that Harry always thought, after he made his strike somewhere, presumably at the card table, he would go back and redeem that as eve

witnesses upon that point are perjurers.

Now, I am going to discuss after a
while all the sevanteen witnesses, of
all sorts, of both sexes, all degrees of
intelligence, of all sorts of social
standing—so far as you can get social
standing in Idaho outside of Boise.—I
am going to discuss all of this, but not
here; I am just going to discuss three
of them, and I am going to ask you if
those three are lying.

ORCHARD TRIND TO SELL INTEL

SET IN ALECULAR MINE.

Do you remismber Dan Ramey? He
was the stage driver who drove the

STENOGRAPHER AND TYPIST MISS E. L. HORR, Expert Stenograph er. Verbatim reporting a specialty. 507 Peoples' Savings Bank Building. Phone, Independent 2072.

Enterprise Hardware THE TOOL HOUSE

PLUMBING . Phones: Main 4702, Ind. 2974

409 PIKE STREET

Two Books You Should Read

THE TERRIBLE TRUTH ABOUT MARRIAGE

THE PINKERTON LABOR SPY

25c Each

THE SOCIALIST / 14 News Lane

Good Health Assured If You Eat At The VEGETARIAN CAFE

214 Union St.

THE ONLY PERSON WHO VOLUNTARILY GIVES SOMETHING FOR nothing is the Wageworker. I do not pretend to do that but when you buy a Diamond, Watch, Clock, Artistic Jewelry, Silverware of me, or have your eyes fitted with gläses by me i try to treat you in a way that makes you a permanent customer. My light expenses and long experience in the business enable me to serve you economically.

Chas. Lampe, 422 Denny Way

Two hundred Seattle Boosters have pledged themselves to support the advertisers in "The Socialist." Are YOU getting any of their trade?

SEATTLE SHOE MFG. Co. and QUICK REPAIR WORKS.

SERIES OF SOCIALIST LECTURES delivered by Vincent Harper in Seattle which attracted wide attention. The Social Unrest interpreted in the light

Repairing of All Kinds Neatly and Quickly Done-Best Work in the City Guaranteed. 2011 First Avenue, Seattle

FIRE INSURANCE I still represent the NORTHWESTERN MUTUAL

FIRE INSURANCE COMPANY and can save you money on your house and furniture. ... J. D. CURTIS 1010 E. 45th St. Phone North 1682

The Abbot Barber Shop and Baths

Everything First Class

OR. FREDERICK FALK, Physician and Surgeon—Office hours 10-12 a. m., 2-4 p. m., Sundays and evenings by appointment. Phones: Office L3696, Residence L867, Main 3649, 301-302 Washington Bldg., 705 First Avenue, Seattle, Wash.

practice and may be consulted from 8:30 a. m. to 6 p. m. daily; Sundays

delivered by Vincent Harper in Seattle which attracted wide attention. The Social Unrest interpreted in the light of classical types. The Three Jews, The Modern Shylock, The Modern Hamlet, The Modern Lear, The Modern Don Quixote, The King's Fool, Ivan the Terrible, The Two Brothers, The Modern Job. 25c each or \$2.00 for the set. Address HARPER LECTURE, 507 People's Bank, Seattle

THE BROWN DENTAL PARLORS-

Dr. E. J. Brown, 713 First Avenue,

Parlors 1-6 Union Block, is pleased

to announce that he is now giving

his personal attention to his dental



DARROW ASKS FOR JUSTICE

even if there was nothing else, but pretty soon we will put him against his own kind,—I don't mean that, there is only one, and he did not testify. I mean that we will put him against him-self and against some of the winesses that they brought here, that is, to show what can happen to this man.

"I SOMETIMES WONDER WEETER TO TAKE A LIPE ON OBCE-ARD'S TESTIMONY."

a subject that I don't understand. Do you know, Mr. Richardson, whether there is any difference? He would have you believe he was converted once be-tore.

Mr. Richardson: Are you looking for

whose orders all the rest obey to the last letter, has he said no? I don't suppose he knows. Hawley hasn't said so except in his argument. Lawyers, like everybody else, have got to be sworn before you will believe them, and you have got to watch a little then, sometimes. Has anybody said so but Harry Orchard? What do you think about a little corroboration on that?

Mr. Richardson: He doesn't say no, either.

Mr. Darrow: Well. I don't know as he did, no. He doesn't say he wasn't promised anything, but he practically said he thought he maybe might have his life saved. But I don't want to tay anything? I hope the Senator had do you think? Has he been promised any thing? I hope the Senator had contained anote about this and maybe he will tell has he got anything, for delivering these three enemies of the line Owners' Association into the lines den't has been promised exactly, he has been paid.

TO CART A LIFE ON ORGE.

AND TRETHORY."

Gentlemen, I sometimes thing I am dreaming in this case. I sometimes the thing is a sometime of the control of the

"IS THERE ANY MAN WE'S WILL EVER THINK OF DECKARD EX-CEPT WITE LOATEING?"

GEPT WITE LOATEURG?"

Gentlemen. am I wrong? Is there any man that can ever think of Harry Orchard, any man but Hawley, is there any sane man I will say, who can ever think of Harry Orchard except in loathing and disgust? You have seen him here. You have heard his story. You have seen him sleek and fat and well fed facing this jury day by day asking for this man's blood. Do you ever want to kee him again? Do you ever want to hear his name again? In the future when you are trying to find the most infamous word that the English language has given us can you think of anything but Orchard? Do you want to read a paper again with his name in it?

And yet, gentlemen, upon the testi-

Portland

Socialist Headquarters 309 Davis Street

Propoganda Meetings Every Sunday Evening at 8 p. m. Business Meetings Every Tuesday Evening at 8 p. m.

IMPERIAL PHARMACY

48 N. Sixth St., bet. Couch and Davis, Portland, Ore.

Furniture and Hardware

44 N. THIRD STREET

PORTLAND, ORE.

Multnomah Printing Co.

82 Front Street

Portland, Oregon

I. X. L. STORE

TRUNKS, SUIT-CASES, ETC., ETC. One Price To All

61 N. THIRD, N. W. Cor. DAUIS

THE SUNSET CREAMERY Phone Main 52

Ask for Our

Celebrated Suaset Ice Cream PORTLAND, OR.

two hours' talk, many of them re-questing that the lecture be given

again in the near future.

The feature of the evening was the stereoptical views of the trial, some stereoptica views of the trial, some twenty it number, thrown on the screen at various points in the talk. These pictures are positively the first seen anywhere and are made from photographs which have never been outside Bolse. Mrs. Titus has gathered together, at a great expenditure of time and money, the finest collection of views of the trial in the possession of any one person and these were sion of any one person and these were also on exhibition, in addition to those

also on exhibition, in addition to those thrown on the screen.

The same lecture will be delivered in Tacoma at Union Hall, 721 Commerce street, tomorrow (Sunday) night, and several dates are to be arrest, to the variety through the night, and several dates are to be arranged in the near future through the state, under the direction of State Secretary Krueger, to whom all applications should be made.

All who have not accounted for tickets for the Seattleameeting should call at "The Socialist" office, 14 News Lane (rear 112 Pike street—look for the sign), and make settlement. We

the sign), and make settlement. We want to make a financial report of the meeting by next Issue, so come and see us immediately.

SPECIAL HISTORICAL EDITION.

The issue of "The Socialist" of August 10 will be a "Special Historical Edition," and will contain much matter of historic interest in regard to the great Haywood trial. It will be printed on a flat bed press on a better quality of paper than that now used and will be profusely illustrated with half-tone cuts of the prominent personages and important scenes of the trial.

There will be nothing of this kind issued by any other Socialist paper, and for that reason there should be some root big bundle orders received just as soon as this notice gets out our, reputation in the past in getting cut special illustrated editions is a guarantee of something especially good.

good.

Prices will be the same as usual and can be found at the head of the editorial column on the last page. Get in your order now so that we may know her many gapers to print.

Summer Wearables for Men

The man who buys moderate priced Suits will be greatly interested in our \$12 and \$15 lines.

We aim to give our trade the best moderate priced clothing that money can buy,

We have everything from top to toe for Men and Boys to wear.

LION CLOTHING @ Gus Kuhn-Prop

166-168 Third Street Portland

Boots and Shoes ERNEST CLAUS

First Class Repairing - Boots and Shoes Made to Order

852 1-2 GLISAN STREET

Good and Reliable Work

I can not do anything else. You need not take my word for it. Find it out. Satisfaction guaranteed. Phone, Pacific 1513. Home, 3916.

HAAKON GLASOE,

Watchmaker, Engraver and Jeweler. 2101/2 Madison St.

TREATMENT TRY GOODWIN

FOR HOME COOKERY AND RIGHT

Minnesota Coffee House

NORTH SIXTH STREET

Entered as second-class matter April 13, 1907, at the postomor at Scattle.

Vashington, under the Act of Congress of March 3, 1907. SUBSCRIPTION RATES.

United States and Canada.—One year, \$1.00; six months, 50c; three month, 25c; single copies, 3c.

To Foreign Countries.—One year, \$2.00; six months, \$1.20. Weekly Bundles.—For one year:—5 copies per week, \$3.25; 10 copies pe

reek, \$6; 20 copies per week, \$10; 50 per week, \$20. Special Bundles.-10 to 50 copies, 3 cents apiece; 50 to 100 copies, 2 cents apiece; 100 to 550 copies, 11/2 cents apiece; 500 to 1,000 copies, 1 cent apiece

All remittances should be made payable to "THE SOCIALIST," Seattle

Communications intended for the Editor should be so addressed. Rejected anuscripts will not be returned unless stamps are enclosed.

Communications intended for publication should be mailed in tin

HERMON F. TITUS.	
VINCENT HARPER.	Special Edito
ERWIN B. AULT	
ALFRED WAGENKNECHT.	Business Manage
HATTIE W. TITUS.	Advertising Manage
RYAN WALKER.	
JOHN F. HART.	
RICHARD KRUEGER	
THOS. J. COONROD	
THOS. A. SLADDEN	Oregon State Edito
The	utors.

(me) in manageton Sp	ecial Contributors.
D. BURGESS	Slave Market Reports
JAS. D. CURTIS	Socialism and the Schoo
EDWIN J. BROWN	Speialism and the La
	Socialism and the Churc
EMIL HERMAN	Socialism and the Farme
E. L. RIGG	Socialism and the Farme
	Socialism and the Middle Clar
	Socialism and the Middle Clar
	Socialism and the Pres
	Socialism and Literatur
ENTONATION DOOD	

Local's Charter Is Revoked

MRS. FLOYD HYDE Socialism and the Home

its error in not trying Walter Thomas Mills for supporting candidates other than those nominated by the Socialist party, and in accordance with the requirements of the constitution of the Socialist party of Washington, the State Committee by referendum vote has unanimously decided that the charter of Local Seattle be withdrawn, and after the stated time has claused a new Local be formed in this elapsed, a new Local be formed in this

The referendum was counted and the result declared at the meeting of the State Executive Committee held at headquarters at Tacoma, Sunday, July 21. A demand was immediately July 21. A demand was immediately dispatched to the expelled local that in conformity with the state constitution the charter be surrendered, and all the property of the local be accounted for and turned over to the custody of the State Secretary pending action by referendum, if any appeal be taken.

Into a statement taking nearly two, columns of the "Saturday Evening Tribune" of even date, Richard Winsor crowds about as many missiate-ments, to use a soft word, as can be made about the case. To quote:

"This action has been taken by the said committee without charges pre-ferred against the Local, without an opportunity for Seattle Local to present evidence upon any charges made, and without any reason except that a

little faction or group cannot dominate Seattle Local." This small paragraph contains just hree absolute falsehoods. They are not evenious, nor equivocations, nor out charges being preferred. The FACT is that a meeting of the City Central Committee of Local Seattle, held Sunday, June 30, 1807, notice of charges was read from the State Sec-retary and a reply formulated, in which it was stated that Local Seattle on the State Secretary to present the evidence to the State Committee and make their fight before the entire state membership on the referendum. This also shows the faisity of the statement that Seattle had no chance

statement that Scattle had no chance to prepare evidence.

That the charter was revoked because of the desire of a small fraction to rule is the sheerest nonsonse, but as the charge will probably have to be met in the discussion over the referendum it is well to keep in mind that the reason for the applying of that the reason for the expulsion of Local Seattle was that Walter Thomas Mills, at a meeting held in Victoria, B. C., on December 28, 1906, advocated the election of certain candidates of the independent Labor party, which was organized for the express purpose of fighting the Socialist party: that charges were preferred by the Domin-ion Executive Committee of Canada;

charges were preferred by the Dominion Executive Committee of Canada; that these charges were forwarded to Local Seattle to be tried; that a special mass meeting of Local Seattle-was called to try these charges; that Walter Thomas Mills took part in the proceedings of this mass meeting as one of the jury to try his own case, though this was directly contrary to the constitution of the Local and of the state; that the trial proceeded up to and including the reading of the charges as presented by the Dominion Executive Committee; that at this point a disturbance was raised over whether the Local or the State Secretary should have the original letter in which the charges were preferred; that in the midst of this confusion Walter Thomas Mills moved "that as there are no charges before this body, we do now adjourn"; that the chairman, who supported Mins, would not allow discussion on this motion, though it was clearly debatable; that Mills supporters were in the majority in the meeting and the chairman declared the motion carried and the meeting broke up in confusion.

At this time the State Convention, was held in Seattle and on the question of Mills right to a seat in this convention being brought ap, it was decided by a large majority that Mills was under charges and therefore not entitled to a seat in the convention.

At the next following meeting of the State Executive Committee cognizance

After many weeks spent in careful deliberation and after giving Local Seattle every opportunity to correct its error in not trying Walter Thomas Mills for supporting candidates other than those nominated by the Socialist party, and in accordance with the requirements of the constitution of the Socialist party of Washington, the State Committee by referendum vote has unanimously decided that the has unanimously decided that the State Executive Committee submitted the evidence to the State Committee.

part of Clarence Darrow's wo

part of Clarence Darrow's wonderful speech to the jury—the real speech, just as he delivered it, and as it was made a part of the court records. Other papers may have the speech later on, but it will be revised and corrected—perhaps more beautiful, but not just as it was delivered, as we have it. Our publication of this speech is a "scoop," as no other paper will have it in the mails for at least a week after our readers get. it. It is another of those costiy examples of enterprise, like the publication of Haywood's testimony in full, however, and

enterprise, like the publication of Haywood's testimony in full, however, and
will draw heavily on our resources
Unless our friends realize their opportunity and our need and come to
the rescue.

We want ten thousand copies of this
issue and the next placed in the hands
of workingmen in these northwestern
states, and you are the one to do it.
Bundles may be secured at the following prices: 10 to 50 copies, 3 cents
each; 50 to 100 copies, 2 cents each;
100 to 500 copies, 1½ cents each; 500
to 1,000 copies, 1 cent each. A limited
amount in addition to the orders aiready received will be printed and
orders may be filled for some time.

STOCKHOLDERS' MEETING CONT.

The meeting of the stockholders of the Trustee Printing Company has been continued to meet Tuesday, Au-gust 13, at 8 p. m., at the office of the company, 14 News Lane, Seattle.

The election of Trustees and other officers, the rendering of a report by Hermon F. Titus as representative of 'The Socialist' at the Haywood trial, the consideration of a constitution and other important business will make up an interesting evening to those who attend.

If you are a stockholder, remember the time and place.

A. WAGENKNECHT Secretary-Treasurer.

Che Socialist Section of the Social Section

Boise, Idaho, Wednesday, July 24th, 1907. 4:00 o'clock P. M.
Gentlemen of the Jury: If I remember rightly, I think when I closed I was saying something about Harry Orchard. I want to apologise for saying too muri. about Harry Orchard. I have always just been a little careful of my conversation and the topics that I discuss, especially in public, and I feel that I owe you an apology for using his name so often. But I can't help it. Eminent lawyers up here in Idaho have seriously proposed to hang a man, take him out and kill him, on the testimony of Harry Orchard and that is my excuse for talking about it. I hope after I am done with this case I will never have to use his name again or see it again or hear of it again. I have tried to show you a small sketch of who this man is upon whose testimony they hope to take away the life of one of your fellow citizens, although he is I don't think there is any danger of my overstating it. When I make little references to Bill Haywood or Brother Borah I might possibly overstate it, but I am safe when I am talking about I hard to the same of the same

whipping a dog on his testimony, leave alone hanging a human being on his testimony.

Mr. Hawley tells us that McParland has converted him. He is a wonderful detective, isn't he? But there is a piece of work gentlemen of the jury, that will isst as long as the ages last—McParland's conversion of Orchard. Don't you think this detective is wasting his time down in the Pinkerton office in the city of Denver? From the beginning of the world was ever any miracle like this performed before? Lo, and behold! A man who has spent his life as a Pinkerton—isn't a preacher, oh, no—he has never been ordained except in the Pinkerton office, but here is a man who has challenged the world—Harry Orchard—he has lived all his life up to this time and he has gotten over what religion he ever had and he meets this Pinkerton detective with never did at whing in—the life of a detective is a living lie, that is his bisiness, he lives one from the time he gats up in the morning until he goes to bed, he is deceiving people, and trapping people and lying to people and imposing on people; that is his trade, and Harry Orchard is caught and he meets this famous detective and he speaks to him familiarly about David and St. Paul and Kelly the Bum, and a few more of his acquaintances, and he speaks to him familiarly about David and St. Paul and Kelly the Bum, and a few more of his acquaintances, and he speaks to him in the most familiar way. And then he holds out the hope of life and all that life could offer to Harry Orchard, and lo and behold, he soon becomes a Christian.

McPABLAND OUGHT TO GO INTO SOUL-SAVING BUSINESS.

replied that they considered there were no charges against Mills. After giving them ample time to act, the state Executive Committee aubmitted the evidence to the State Committee.

I a motion to revoke Seattle's charter was made and the charter was reade and the charter was made and the charter was revoked by a unanimous vote of the State Committee.

A large number of the members of a Local Seattle, perhaps a majority, favor the action of the State Committee, as the best way to put an end to that the rule or ruin policy of the opportunists, who, though they have been defeated in every state convention, and in every referendum in which the rule or ruin policy of the opportunists, who, though they have been defeated in every state convention, and in every referendum in which they have crossed swords with the revolutionists, persist in creating strife and dissension in the party in this state.

The importation of Walter Thomas Mills is merely the culminating act of a land of desperate filibusterers, who, having been folled in their attempts to control the party, resort to this means to disrupt it and organize it and wulpon their plan. We trust that when the state membership peaks it will repudiate these tactics in no uncertain voice, and put an end to this means to disrupt it and organize it is and who control the party, resort to this means to disrupt it and organize it is means to disrupt it and organize it is men to disturb the rule of the party, resort to this means to disrupt it and organize it is means to disrupt it and organize it is an every suppose to the party of the party will render a verdict in the Haywood and the provided the evil the provided

lives of three men. Well, all right, perhaps you will do it, but I don't think Now I want to take another view of this man Orchard. It seems that I never can set away from him. He has told you a great story. The fairy tales that he used to read are not in it with this story. Baron Munchausen and all the rest of them have got to go away back and sit down since Harry Orchard entered literature. He had to tell Mc-Parland his real name, and the first question that Hawley asked almost, was as to his real name, where he was born and who he was, and, ate told us it was Horseley. Of course, he had to tell it because he had already written his biography, written this wonderful story of a wonderful life and he had spread his infamy throughout the land to damn all the people whose blood was akin to him. He had done that beforehand is he a romancer, is he a liar, or is he honest?

Now let me call your attention to a few things in the light of what he is. First, he has written a story before he beer got here. Before you men had woven the story and sold it to a magazine. Well, now, I know that you have got to look out for a story teller. I have had a little experience in that line myself, and when the imagination gets active it is a little difficult to tell whether we are telling the truth or just think it is the truth. Man had a little experience in that line myself, and when the imagination gets active it is a little difficult to tell whether we are telling the truth of his putting in his time writing the sevry moment for the halter to dangle above his bead he is putting in his time writing this story which is being published now.

GRIMES HE WEVER COMMITTED.

CEMES RE TRYES COMMITTED.

Commencing from his earlies youth he has been a liar, that he confesses, and a liar of a singular kind—teiling of meaner things than even Harry Orchard ever did. He admits that he told of killing his brother when his brother wasn't killed. He admits that he said he had killed Neville, hired a man to go and poison him when Neville was never poisones and never killed. If he can admit that he told the story that he poisoned Neville when it was a lie, is there any reason that he couldn't tell the story that he put strychnine into Bradiey's milk when that, too, was a lie?

Time after time ne has shown that

Threader's milk when that, too, was a lie?

Time after time ne has shown that he is a diar given to this kind of wierd tale; that tells what an infamous mortal he is. Not man enough to lie in his Nords and his letters, he goes into a photograph gallery and posses inmedit with two other men, he standing with a smoking revolver in his hand and one man shot dead before him with the cards in his hand and snother man standing by his side, Harry Orchard of course, being the real hero. He never would take a pose and let the other fellow be holding the revolver and he appear to be dead. Oh, no, never, you

that he wanted to touch off a carload of powder in the Viadicator mine that would kill a third of the men, one whole shift, and that there was about six or eight hundred men employed in the mine and that he would kill a third of them, that he missed there. He told you that he was ready to blow up a boarding house in the Coeur d'Alenes that would kill two or three hundred more. The poor fellow has really never had a chance in the world. He has never been where his talents would be recognized. It is unfortunate, from his standpoint, that he has never been able to kill five or six hundred at a time. All of his big schemes seem to have failed, like the big schemes of all the rest of them. But he had them in his standpoint, that he had them in his head, everyone of them. He was going to go to the put a bomb under Governor Steuenberg's seat in the car and hlow up the train. He was going to do infinitely more than he ever did do: amain than he car and himself was a seat of the car and how up the train. He was going to do infinitely more than he ever did do: amain than he really is, he boasted of crimes that he never committed, and told of attempting to commit crimes bigger than he ever did commit.

Now I want to know whether there is any chance for a jury to go astray upon a character like this. Whether it could be possible that anywhere on the face of the earth you could bring together twelve men who would ever look at the testimony of a monster of this sort? Of a man who perhaps is a phenomenal murderer but who at least is the biggest liar that this generation has ever known. This is the character of the man upon whose testimony you are to be asked to take away these men's lives. Now what did he say he did?

Let us look into the first effort to connect Mr. Haywood with the murder of ex-Governor Steunenberg. The first time that Harry Orchard comes upon the scene he had left Canada and had taken another mans wife with him she had left him and he came back to the Coeur d'Alenes and head hever killed anyloy. He had clai

not.

Let us assume that he did. The State gets a starting point from here. Some large number of men went to the Bunker Hill & Sullivan mill. They undoubtedly went there for a demonstration. It isn't at all likely that one man out, of a hundred who was there ever dramed of snything that was going to happen.

gether and some man would tell the jury here and some man would tell the jury here are criminals and workerers. do you suppose anybody mould believe it? Mr. Hawley might possibly, if he wasn't there; someone liese might. But you can't tell me, gentlemen, that the great mass of the men themen, that the great class are all criminals.

"IT A TROUSAND MEN DELIBES."

ATELY BLEW UF THE BUNKES HELD TI."

If for any reason a thousand men deliberately determined to go and blow up the Bunker Hill mill. then it needed blowing up. It needed it, just as much as if you go into a town and persuade everyone of the clitzens to join in the Civil war to liberate the slaves. You can't get great masses of men to act from anything but good motives. Tou may get a great masses of men to act from anything but good motives. You would be not cart from anything but good motives. You would be not can't get great masses of men to act from anything but good motives. You doubtes the occasion here. But if you tell me that everyone of these mines who work with their pick and their who work with their pick and their shovel, who support their families with the brawn and sinew of the land, that if everyone of them joined in an excursion like that, you would prove that the condition existed which called for it. You need not tell me that a thousand of Idaho, were criminals and murderers. Men don't act that way. They only act that way upon great provocation or upon sudden impulse or without reflection, and so undoubtedly in this case they got together to go there sand make the you togot together to go there sand make they got together to go there is nothing wrong with the way set they got together to go there is nothing wrong with the way at the condition existed which called for it. The proper is the proper their families with the brawn and sinew of the land, that if everyone of them joined in an excursion like that, you would prove that the condition existed which called for it. The proper is can't get great masses of men to act from anything but good motives. You may get a great mass of men together upon one purpose and amongst them may be a few men who secretly have another and criminal one, which was doubtless the occasion here. But if you tell me that everyone of these miners who work with their pick and their shovel, who support their families with the brawn and sinew of the land, that if everyone of them joined in an excursion like that, you would prove that the condition existed which called for it. You need not tell me that a thousand of Idaho, were criminals and murderers. Men don't act that way. They only act that way upon great provocation or upon sudden impulse or without reflection, and so undoubtedly in this case they got together to go there and make a demonstration, a few men got amongst them and perhaps all of them did more than they ever intended or expected to do or that they would have done in cold blood. But let us see. Orchard to do or that they would have done in cold blood. But let us see. Orchard said he was there are affect the mill was blown up the feet and way if he didn't help blow up the mill? Well, Mr. Hawley ought to know. He has read Orchards to book. He has beard Orchard's testimony. He was familiar with that case. Orchard told you upon the witness stand that they arrested every union man in the district, whether he was there or not, that they put everyone of them in a buill pen. They run out their net and they gathered the guilty and the innocent alke, and he ran away to get rid of going to the built pen just as hundreds of others did in the Coeur d'Alenes at that time. And then Gavernor Steunenberg established his bull pen.

Now, gentilmen, I am not going to diducus to this jury whether his method was right or wrong. I believe it was wrong. I don't believe any lawyer can defend the right of any hunam being to indiscriminately take his fellow men without any criminal charge whatever, without any criminal charge whatever, without any criminal charge whatever, withou

Nothing to justify it. If the arm of the law was not strong enough, if the civil anthorities were not strong enough, if the civil anthorities were not strong enough be called in to tid and mettics should be called in to tid and mettics should be called in the civil and the called in the civil and the called and take whom he will without warrant, without charse, without a hearing of any kind and lock them up as they see fit, then you will say that all government should be submerged and the only law is the law of might, and I don't think the man lives who can defend it.

of people protested against this as being an outrage, a crime against the liberties of man.

But what had Moyer, Haywood and Petitions to do with it? Orchard was doubtiess there and he ran away. The State says that that is the foundation of this case, because Steueness and the says that says the says that says the says that the says the

ED. BOYCE WORKED IN A SMELTER

Bill Haywood. 'It is a wonderfully honest prosecution from beginning to end,
isn't it?

Ed Boyce wrote those articles. As
articles go there is nothing wrong with
them. Was there any reason why the
Western Federation of Miners shouldn't
speak up with ringing words in behalf
of a thousand brothers' locked in the
foulest pen that man could build? In
behalf of a thousand men placed there
without charge, held without trial, denied the common necessities of life, covered with filth and dirt and mire, surrounded with lice, Pinkerton detectives
and other vermin and left to rot? Was
there any reason why the shouldn't
condemn it? If they hadn't condemned
it they wouldn't be men. They wouldn't
be men from whom you could build up
a great nation. They wouldn't be men
who would be fit to take the liberties
that our, fathers have decreed to us
through blood and toll, perli and struggie, to take those liberties and defend
them with their honor and their
strength and their life, if need be, and
to pass them on to the generations that
are yet to come.

"I WISE TREES WEEK MORE BLACKSHITHS WRITING FOR PAPERS."

Behold, the smelterman—a man could only live about three or four years in a smelter before he would be thrown out into a scrap heap—and he got into the editor's chair and he wrote with a smelterman's pen. I wish there were more blacksmiths writing for newspaper men doing blacksmith's work. It would be a good thing for somebody not a time server but who works for a principle to take his pen in hand and say what he believes. And I am glad the "Miners' Magnaine has said it even though haif; they say may not be good sense and that half may be in vely bed English. I don't think this jury is going to hang a man on what Ed. Hoyce wrote or what Nelson wrote or what anybody else wrote. If they would clean out all of these newspaper offices while our hand was in.

But one excuse is as good as another when you want a man, and they want Hanywood. Somebody blew up the Hunter Hill & Sullivan mill. At that the Governor Steunenberg was governor. Haywood wasn't known, but there is formed a haired of him. It may be that Governor Steunenberg was misjudged by the minera. It may be if anyone of

They were present with them in all their trials and all that took place.

The Pinkertons were with Moyer in the bull pen and stuck to him as close as a bull pen tick. Why didn't they get a word out of him in the days of his unlawful imprisonment and his tribulation? Why haven't they found something somewhere that would give twelve men a reason, if they wanted it for taking away the life of their fellow man? Why haven't they found it! And these men have been conspiring, they have been working, they have been working, they have been working, they have been working, they more and all his cohorts, with the money of all the mines and all the miland have produced nothing except the paltry story which you have heard upon this witness stand.

Now I don't care whether Orchard had the with blowing with blowing

money of all the mines and all the miles and have produced nothing except the pality story which you have heard upon this witness stand.

Now I don't care whether Orchard had to do with blowing up the Bunker Hill & Sullivan mill or not. Nobody has answered McHale, Dominick, Flynn and Dr. McGee, all three of whom sweat that he was present of the day playing chance to go and explode some dynamite and a chance to go and explode some dynamite and a chance to go and explode some dynamite and a chance to go and explode some dynamite and a chance to go and explode some dynamic and a chance to go and explode some dynamic and a chance to go and explode some dynamic and a chance to go and explode some dynamic and a chance to go and explode some dynamic and a day to be remembered.

What have they proven against him?

What have to bring a man from. Sometime and the didn't see him and the didn't see him and the didn't see him and the proven against him and the say he was there or not y what of it? He says he was there of not yell of the first time also in several wes were seen publicly together la the prov

DEWEY LIKE A SHEEP-KILLING

I will tell you bow you can remember Dewey. I used to be a farmer myself. I once hired out for \$20^4 a menth, I think I worked a week—I mean I stayed a week, and the fellow I hired out to didn't find any fault with my leaving. But I remember this, I remember one morning when I got up rather early to milk, pretty early, along about sunrise, the farmer or some other alarm clock called me, and when I got out to the pasture to get the cow I saw a dog. You have seen them, one of those sheep-stealing dogs. If you have ever gotten up early enough in the morning you have seen them running along by the side of the fence with his tail drooping on the ground and his head on the ground. These sheep-killing dogs are different from any other dogs. You will never mistake one as long as you live. You people know all about it the same as I do. I knew that dog had been killing sheep. Any man who saw him could know it. But If he hadn't been killing sheep he would have been doing something else just as bad. A sheep-killing dog.

sheep he would have been doing something else just as bad. A sheep-killing dog.

Now whenever I think of Dewey I will know exactly how to classify him, exactly. You remember him. Didn't anybody see his eyes. He didn't look up. He didn't speak. He held his head down, and I suppose for the first time in thirty odd years I remembered my walk on the farm away back in Ohlo and that sheep-killing dog. You remember Hawist to the him to take the toothpick out of his mouth. He ought to have taken a crowbar and pried it out. What kind of a story did he tell? Now let me show you, gentlemen, what sort of a story this fellow told and see whether you believe him. I wouldn't believe him if he was telling the truth. I don't think anybody else would. I wouldn't believe such a fellow as a matter of principle. I would hate to get in the habit of believing such people. You couldn't tell what it would lead to. Hawley might make an argument before me sometime asking me to hang a man. What did he swear to?

To Be Concluded Next Week

oncerning Orchard's family history was introduced partially on his cross examination when he was last recalled and to that extent it may be used by

Another reason for hope lies in the fact referred to above, which can be wood not only had no motive for these crimes of violence, but actually had

ation on account of the Independence explosion, the Vindicator explosion and for that matter, of the Bunker cannot be altogether excluded from the arguments of Richardson and Darrow before the jury. The jury has heard so much on this

nesses who themselves fled under false names to avoid arrest and the black-list after that fatal June 6, 1904, hat it seems incredible they should Western Federation of Miners.

Another reason for hope is the aldence independent of Orchard connecting Haywood with any of the alleged

This is the feature of the case which mpresses nearly every one here in Boise. So true is this, that the prosecution has not connected Haywood, notwithstanding what Judge Wood says, that their sole and only trust is their theory of conspiracy, derived from the impossibility of explaining these many crimes on any theory which has been allowed to go to the

The weakness of the defense has been its dependence on one theory and that theory has been discarded by the judge.

ts possession of one consistent theory easily understood by the jury and consistent with the preconceived noions of the jury.

er conspiracy by the Pinkertons which we have been laboriously upouilding these weeks, is suddenly taken away and where are we, or rather

I am sending herewith the official report of Chief Counsel Richardson's argument before Judge Wood for the etention of evidence in support of argument was first, followed by Senaor Borah for the state and this of Richardson's concluded. That the judge hesitated was shown by his taking all night and half the next day to prepare the brief decision, also sent

would and must, though we had not anticipated the question would arise

By the way, Judge Wood himself introduced it. He did not wait for the state to make any motion.

against the Pinkertons was to be read, there was present in the court for the first time since the trial opened. Jas. McParland and seated by his first time also in several weeks they were seen publicly together last night.

But the verdict is not yet rendered

There are also two other consider-

fords ground for appeal, which can probably be carried to the United

Second: The discovery of new evidence, like that about Orchard's family mania, may give good reason for

HERMON F. TITUS.

THE FATAL **DECISION**

(OFFICIAL TEXT.)

BOISE, Idaho, Friday, July 19, 1907. 2 o'clock P. M.—Parties met pursuant to adjournment (The jury not pres-

THE COURT: At the conclusion of the evidence in this case the Court suggested to counsel a desire to hear arguments from them upon questions which would involve certain instruc-

tions by the Court.

The first question submitted involved the withdrawal from the jury of statements testified to by the witness Orchard, involving the conversation which he had with the detendant ness Orchard, involving the conversation which he had with the defendant rate of counsel for the State that the defendant Haywood, and further statements made by Pettibone as to crimes alleged to have been committed by Adams at that time. An of this testimony was objected to by the defense but was admitted by the Court upon the promise of counsel for the State that the evidence would be directly connected with the defendant Haywood, and that it was a part of the general conspiracy which ultimately resulted in the death of ex-Governor Stuneenberg. Counsel for the state now conceder that this testimony has not been properly connected and should be stricken out. The declarations made by Pettibut. The declarati

though a conspiracy were clearly established and by proof showing that defendants Pettibone and Haywood were parties thereto. For that reason all of this testimony will be withdrawn from the jury and the jury will be instructed to totally disregard the same.

The next question suggested by the The next question suggested by the court and urged by counsel involves the materiality of evidence introduced by the defense showing a long series of deportations of miners and other persons and other acts of violence involving the destruction of property belonging to the Western Federation of Miners, or certain local unions of Miners, or certain local unions thereof also as to the materiality of other evidence introduced by the defense showing that the Pinkerton Detective Agency had placed its detectives in various local unions of said Federation of Miners. The Court suggested the immateriality of this evidence before the conclusion of the State's rebuttal and advised counsel that argument would be invited State's rebuttal and advised counsel that argument would be invited thereon before the instructions of the Court were settled. This testimony was all admitted upon the promise and assurance of counsel that the proper connection would be made showing that some at least of the various acts of violence testified to by the witness Orchard were either not committed by Orchard, or, if committed by him, that some other person or persons procured him to commit such acts of violence, either of which defenses were proper and legitimate defenses if any evidence could be secured tending to establish such defense. In the opinion of the court, defense. In the opinion of the court, however, no evidence was introduced by the defense even pointing to or indicating that the acts of violence testified to by Orchard, if actually ness. Neither is there any evidence tending to point to, or from which it might be inferentially inferred that any individual, association or other combination of persons procured any for someone else to commit or procure the commission of the various acts third person to commit an offense fo which a party is being tried, is not admissible in the absence of other testimony in some way connecting or pointing to such third person as the pointing to such third person as the guilty party. The circumstances involving the Vindicator explosion, the explosion at the Independence depot and other acts and attempted acts of violence in the city of Denver. The testimony introduced by the defense in relation to the deportations, the destruction of property belonging to the local unions of the ewstern Federation of Miners, and the various conflicts between the Union miners

conflicts between the Union miners and their sympathizers and the Mine Owners' Association and the military and the various Citizens' Alliances, does not point to anyone, or even indicate that any particular person either committed the acts of violence complained of, or procured Orchard to commit such acts of violence. And in the absence of such connect. ing evidence the court feels compelled to take this evidence from the jury and instruct them to totally disregard it in arriving at their verdict. The action of the court in this matter is perhaps an unpleasant duty, but it is a responsibility that the court has no right to shift from itself to the jury when called upon for a final consideration of this case. consideration of this case.

Counsel for the defense urges that if this testimony is withdrawn from the jury, all evidence involving the Vindicator explosion, the independence depot explosion and other acts of violence in the State of Colrado testified to by the witness Orchard, should be withdrawn from the jury. This evidence the court has no power.

This evidence the court has no power to withdraw from the jury unless upon the theory that the witness Orchard, being an accomplice and a co-con-spirator, his testimony in relation without corroboration. He has testi-fied, although an accomplice and a co-conspirator, to all of these acts of violence, and has either before or after connected this defendant there The court is clearly of the opintion to necessitate First: This decision of Wood's af- the same reasons for withdrawing this evidence do not exist as to the evidence of deportations and other acts of violence in the Cripple Creek acts of violence in the Cripple Creek and Telluriae country. The testimony of the state, for whatever it may be worth with the jury, connects the de-fendant on trial directly with the vari-ous acts of violence involved in the evidence of the state, so far as they apply to the state of Colorado, while the testimony of the defense which will be withdrawn from the jury does not point to or indicate that any other person or persons either committed not point to or indicate that any other person or persons either committed such acts of violence, or procured the commission thereof. For these rea-sons the court will instruct the jury when arriving at its verdict to dis-regard all evidence introduced by the defense, and upon rebuttal, relating to defense, and upon rebuttal, relating to deportations of miners and other per-sons from Cripple Creek and the vi-cinity of Telluride and all evidence in relation to the conflict in the same localities between the Western Feder-ation of Miners and their sympathizers on the one side, and the military organizations, detective associations and Mine Owners' Associations, and individuals in the same locality on the

Counsel for the defense have re-Counsel for the detense have fe-newed their action as made at the conclusion of the case first made by the State, that the court advises the jury to return a verdict in favor of the defendant for reasons given in said motion, and this motion will be de-