# PLOT TIGHTENS ABOUT HAYWOOD

### **Richardson Puts in More Good** Licks for the Prosecution.

### KNEW ORCHARD'S ALIASES

Dramatic Scene in Court When Justice Goddard Identifies Bomb Laid at His Gateway-Maga-

<sup>\</sup> zine Article as Evidence.

BOISE, Idaho, June 19 .- (Special.)-Testimony of the most effective coar-acter was again introduced today by the state in the case against W. D. Hayword, It was all very strong, but some points were particularly so. One of the striking features was the form that Mr. Richardson, for the defense, gave to the argument he made against admission of a number of articles from the Minerel Magnitude of fight

admission of a number of articles from the Miners' Magnatue, official organ of the Western Federation. He took occasion to read extracts from articles published by Herr Most and others during the time preceding the Haymarket massacre in Chicago. An hour or more was occupied with such reading, the character of the Anarchista of that time being thus set before the jury very clearly. Richard-son did that in an effort to show that, while it is as proper to admit the in-troduction of such utterances before the jury trying the Chicago Anarchists, it would not be proper to admit the urticles from the Miners' Magazine to be introduced in this case. He attempted to show a difference in the motives and methods of the de-

the motives and methods of the de-fendants in the two cases, but, after all the long recital of horrors before the jury, the method chosen by the at-torney is felt by the public to have been most unfortunate for the defense. heen most unfortunate for the defense, the general comment at the noon recess being, "Richardson has been putting in some more licks for the state."

### Sought to Arouse Class Hatred.

Borah, in his argument in support of the offer to introduce the articles, re-rained from reading them, stating that 'tained from reading them, stating that if he were to enter into an exhaustive argument of the matter it would be necessary for him to read extracts. He stated they were practically similar to those published by the men condemned in Chicago, denouncing the mineowners generally, and individuals in particular, in a manner that was an incentive to "noise. One of the articles in the fa-mous declaration by Ed Boyce when he was president of the Federation stated that he hoped to see the time whon he would hear the music of the tread of 15 609 armed men in the ranks of labor. Richardson explained that Boyce advo-cited nothing more than bearing of arms cites nothing more than bearing of arms for defense against attack, not to com-

Judge Wood announced he would let in some of the articles, but wished to take more time for reading the others before passing on all of them.

pressing on all of them. If is an interesting fact that a deposi-tion is being secured from F. W. Brad-ley which the defense hopes to intro-duce in retuiation of Orchard's story. Bradley would not make one unless the stale were represented to cross-examine, and F. A. Stone and Owen Van Duyn are down there for that purpose. In view of the interview given some two woeks ago by Mr. Bradley. It does not seem likely, the defense will get much fröm him in this deposition that will benefit them. sidewalk. monofit them

### Hope to Get Fred Miller Back. The state is anxious to get Fred Miller

back here so he can be put on the stand to explain how it was that he was sent to Orchard to defend him when he was held under the name of Thomas Hogan.

organ of the Western Federation of Miners, will be admitted in evidence. To Justice Luther M. Goddard himself fell the task of telling the story of the finding and preservation for use in evi-dence of the bomb with which Orchard dence of the bomb with which Orchard tried to kill him. His appearance on the stand added another to the many dra-maile scenes and situations that have characterized the trial, and his testimony was clear and minutely circumstantial. The veteran jurist testified that the first information that he received about the bomb came to him from Orchard's con-tension which was shown to him at Dan. fession, which was shown to him at Den-ver on February 13, 1906, by Detective McParland. He at once returned to his home and in his gate discovered the nome and in his gate discovered the screw eye which Orchard said he placed there. It was rusted and corroded by 10 months' exposure. The witness said he examined the ground outside the gate where Orchard said he placed the bomb

where Orchard said he placed the bomb and found a slight depression, with the soll packed very hard around it. The bomb was dug up the next day by General Bulkley Wells, who, using a pocket knife, cut the soll away and raised the pine box containing the bomb. There was a small phial on top of the box, and attached to the rubber cock of the phial attached to the rubber cork of the phial was a piece of rusted wire.

Bomb Is Exhibited in Court. ~

The bomb and its attachments were at once taken to the office of the Pinkerton Detective Agency and carefully sealed in wrappers and envelopes that were signed by half a dozen witnesses, including Jus

tice Goddard, and afterward they were placed in a wault, to the door of which five seals, including that of a notary, were statiched. There they rested until the following May 22, when, believing the Hay wood case was to come to trial, they were removed in the presence of the same witnesses, and all save three of the 40 sticks of giant powder contained in the bomb were exploded. The explosions oc-curred in the presence of the witnesses at a point in the suburbs of Denver, and of the bomb itself, 12 giant caps and two wrappers torn from the sticks of giant

powder were saved as evidence. Senator Borah produced the several packets as they were originally sealed, and commencing with the phial passed them to Justice Goddard, who broke the seals and identified the articles. After the phial came the little screw tion from the newspaper publications

eye, then the dozen giant caps and last the powder wrappers. Attorneys Richardson and Darrow for the de-fense objected to all the evidence and all the exhibits and moved to strike out everything, but the court ruled against them all along the line. -

### Orchard in San Francisco.

Mrs. Seward, at whose house in Sar mine. Seward, at whose house in San Francisco, Harry Orchard lived during part of the time he was conducting his operations against Fred Bradley, gave testimony strongly corroborating Or-chard's account of his acts and experi-

ences in San Francisco. Besides con-firming Orchard's recital as to time, movements and locations, she testified that she found lead and wood shavings

in Orchard's room and a screw eye, string and bottle attached to the closet door where Orchard had been experi-menting. She said her lodger had a very heavy suit case and that she made up her mind that he made up her mind that he was an inventor. John L. Stearns, agent at Denver of the Mutual Life Insurance Company, confirmed the story told by Orchard about securing employment as a solici-tor for the company before he went to Canon City to kill ex-Governor Pea-body, and produced leters of recom-mendation, which Orchard furnished in response to his request.

### Orchard as Insurance Agent.

One letter was from 'George Petti-one, a co-defendant of Haywood, and it made jocular reference to the fact that Stearns was taking many agents from him and requested in the future that when any of his agents applied for work they be put out on the

Another letter was signed by Horace N. Hawkins, partner of Attorney Richardson of the defense, and it gave Orchard, then traveling under the name of Thomas Hogan, a very strong recom-mendation as to character. The de-

of Thomas Hogan, a very strong recom-mendation as to character. The de-fense objected to the admission of the letters, but the court permitted their introduction as evidence. Riley Harris, a young man who worked for Roach, the plumber who made the lead casing for the Peabody bomb, told of the casing and of the delivery of the article to Orchard whom the witness identified. The morning session was spent in

THE MORNING OREGONIAN, THURSDAY, JUNE 20, 1907.



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were printed in anarchist newspapers published by the defendants in the famous anarchist trials resulting in convic-Mr. Richardson, reading of the an-rchists' revolutionary writings in the

archists' revolutionary writings in the eighties, created a sensation. He gave declamatory emphasis to the fearful advice looking to the wholesale de-struction of all who stood on the side of law and order. It was a page from the oriminal history of this country un-read by a majority of those present in the courtroom, and the extremity of the language used by Johann Most in writing to Sples and by the defend-ants themselves in their editorials' was a revelation. The avowed pur-pose of Richardson's exhaustive quota-tion from the newspaper publications

In the anarchist case, was to show the tamely abusive character of the evidence offered by the state in the widence offered I Miners' Magazine. Miners' Magazine. Continuing his argument, Mr. Rich-ardson said that in none of the articles in the Miners' Magazine was there di-rect or implied connection with the murder of Governor Steunenberg, be-

cause of his course in Idaho, but he pointed out that "tens of thousands and hundreds of thousands of people In this country condemned or approved the course adopted by Steunenberg, and that those who condemned should not be held responsible for the Governor's

murder. Articles Show Animus of Federation

Senator Borah argued for the state that the magazines should be admitted because they showed the enmity of an organiza-tion of which the defendant Haywood and the other befendants were the offi-cers. He pointed out that the state did not offer the articles as evidence, relying ou them to prove their charge of mur-der, but in order to help the jury in de-termining, among all the circumstances, what was the animus of the Western Federation of Miners, of which Haywood is the Secretary and Treasurer and the Miners' Magazine the official organ.

Miners' Magazine the official organ. Senator Borah, without quoting from the articles, said that these articles did advocate force and that they advised the members of the organization to arm them-selves with rifles. He maintained that if the evidence of newspaper articles was admitted in the Snies case, the evidence admitted in the Spies case, the evidence of articles in the Miners' Magazine should be admitted, because in both cases—in the present case not less than in the case find the more any spinor because the tried 20 years ago-animus was shown

and violence was advocated. Richardson closed the argument. He as serted that in no word contained in the Miners' Magazine, was there an advocacy Miners' Magazine, was there an advocacy of the use of arms, except in self-defense, a right allowed to every dilizen and he forcefully argued that the criticism of a political opponent could not be construed as an evidence of murderous intent.

ready by tomorrow morning.

Pettibone, from Horace N. Hawkins, law partner of E. F. Richardson, now representing the defendant, from J. C. Sullivan, president of the State Federa-tion of Labor, and from Henry Cohen. These letters, together with the carbon copy of a letter written by Stearns to Pettibone were offered in evidence by

### When Orchard's Word Was Good.

the prosecution

# The defense objected on the ground that the leiters in no way connected Haywood with the death of Governor Steunenberg. Judge Wood overruled the objection and Senator Borah read the letters to the jury. The letter from Mr. Hawkins, was a high commendation of Orchard, the attorney declaring Orchard or "Thomas Hogan," as he was then known, to be a man of integrity. "I know nothing detrimental to his charac-er," concluded Mr. Hawkins. The letter from J. C. Sullivan com-mended Orchard as "a man whose integ-rity is unquestioned and whose general character is good." The defense objected on the ground

character is good." Henry Cohen, a wrote of Orchard: a Denver attorney,

"His integrity is of the best and his habits good." Petilbone wrote to Stearns in reply to a letter from the latter asking as to Orchard's character. Petilbone wrote:

In reply to yours of the 7th, in reference o Thomas Hogan: Tes, I am acquainted with Hogan, and I

am also becoming acquainted with you. If any of my agents apply to you for positions you would do me a favor by show-ing them the quickest way to the cellar, as I can use them very well. On redirect cross-examination, Stearns said he took the letter as a joke as sev-

eral of Pettibone's agents had been given employment by him. Orchard Partial to Fishlines.

Mrs. Soward, of San Francisco, who conducted the rooming-house at which Orchard stopped when he was making the Orchard stopped when he was making the attempt on the life of Fred Bradley, was the next witness. She told of knowing Orchard under the name of Berry, and said she found in his room shavings of lead and wood and other evidences of the man's experiments in bomb-making. Orchard said he experimented in the room to find whether the opening of a door would upset the bottle of sulphuric acid

necessary to fire the bombs of his design. Mrs. Soward said she found a fishline running from a screweye on the door to the cork of a small bottle. Mrs. Soward said she hesitated a long while before coming to Boise to testify.

The detectives came to see her 12 or 15 es about the matter tim

"What did you get for coming here?" "What did you get for coming here?" temanded Attorney Richardson. "My expenses," replied the witness. Riley Harris, a young man who former-

te would not continue state had le lon on the very important matter pre-sented this morning. Senator Bornh said that the remaining evidence de-pended largely on the admission of the magazine articles. This necessitated an early adjournment. When the trial was resumed o'clock, Judge Wood



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### THE HOUSE BIGGEST. OF HIGHEST BUSIEST AND BEST QUALITY IN ALL THE WEST

He has taken the Bradley deposition and good many persons think he will not re-

A very interesting feature of the day's proceedings bearing upon the Miller case was the introduction of a letter showing that the firm of Richardson & Hawk-ins, attorney for the Federation, of ins, attorney for the Federation, of which E. F. Richardson is a member, knew that Orchard traveled under the name of Hogan, When Orchard was getting a commission as an agent of the Mutual Life Insurance Company to serve as a blind while he was endeavoring to kill Governor Peabody, H. N. Hawkins, of that firm, gave him a letter of recommen-dation to the Denver agent of the comhand, He told of having known Thomas Hogan a long time, and could recommend him very highly. It suggested a measure of knowledge of

It suggested a measure of above of the character and mission of this man who is now a witness for the state, and it suggests how it was that Miller was sent so promptly to defend this man arrested in Caldwell under that allas. Further, Orchard has testified that the Pederation officials knew all his aliases, and it is new shown the attorneys for the Federa-tion also knew them, proving the state-ment of Adams that the Federation officlais were acquainted with them, and suggesting how it was that an attorney is sent in the manner that is so well

### Money That Was Sent Orchard.

Further, Orchard has testified, it was the understanding that an attorney would be sent to him if he should be ar-rested anywhore. The letter from Petti-bone to Orchard informed the latter that the money he had sent for had been sent to Nick Simpkins for him on December to Nick Simplifies for him on December II. One of the drafts purchased for Simplifies and introduced the other day was for that amount and hore the date of December 2, the second figure of the date having been cut out by the bank punch. An effort will be made to get the exact date on which that draft was Ig-sued.

Orchard testified that while in North Idaho he wrote to Moyer at Butte asking Idaho he wrote to Moyer at Butte asking for that amount, and Moyer notified him he had forwarded his request to Hay-wood. He further testified that Simpkins handed him the money. That payment is being connected up very closely. Judge Goddard's testimony today was most impressive. He not only told of the digging up of the bomb that had lain at his gate so long, but identified portions of its contents which had been carefully

of its contents which had been carefully sealed up soon after the bomb was ex-humed and marked by him and Bulkley Wells. The methodical way in which the record had been prepared for presentation when the time should come made a cessful attack on cross-examination utterly impossible.

GODDARD IDENTIFIES BOMB

### Dramatic Incident When Infernal

### Machine Is Exhibited in Court.

are inclusion quotes from the record of the case of "Spisy's, the People," and the ruling as to the admission of news-paper articles. In the case of the Miners' Maguzine, he suid, the articles did not compare in tone with the violence of the BOISE. Idaho. June 12.-The state to-day made dramatic production and proof of the Goddard bomb and besides offering further corroboration of the testimony of Harry Orohard against William D. Haywood, secured a ruling under which a number of the denunciatory articles published in the Miners' Maganine, official

The morning session was spent in arguing the admissibility of the editorials and articles published by the Miners' Magazine, which the state of-

Miners' Magazine, which the state of-fered late yesterday. Each side took the Chicago anarchist cases as its legal guide and justification, the defense pleading that the legal propositions varied, the prosecution that they were on all fours Judge Wood wanted to see the articles and took a recess from 1 until 2 colors to be these proce early adjournment. When the trial was resumed at 2 c'clock Judge Wood announced that he was not ready to finally pass upon the admissibility of the various articles from the Miners' Magazine which the prosecu-tion desired to place in evidence. "I have had time to make but a hasty evamination of the articles." said the are the articles and took a recess from 11 until 2 o'clock to look them over. After recess, he said that he had de-clded to let certain of the articles go before the jury and to exclude cer-tain others. He will rule tomorrow as examination of the articles," said the presiding Judge, "and while I have de-cided that some of them may be admit-ted and others must be rejected, there are some as to which I am in doubt beto the particular ones that are to be

admitted and excluded.

TAKES TIME FOR DECISION cause of the insufficiency of the memo-randa handed me by counsel. I will not render a decision until I have the

### Judge Wood to Decide on Admission of Magazine Evidence.

To corroborate Orchard's testimony as BOISE, Idaho, June 19 .- The entire norming session of the Steunenberg murto becoming an agent of the Mutual Life to becoming an agent of the subtait Life Insurance company, the prosecution in-troduced John L. Stearns the represen-tative of the company at Denver. Or-chard suid he was advised by Haywood, Moyer and Petithone to engage in life insurance solicitation as a blind to cover der was consumed in bearing arguments on the admissibility as evidence of the editorial utterances of the Miners' Maga-zins, official organ of the Western Federation of Miners, as to Frank Steunen berg and others connected with the labor troubles of the miners. On both sides the insurance souchation as a blind to cover his presence in Canon City while stalk-ing ex-Governor Peabody. Stearns said Orchard brought him let-ters of recommendation from George A. argument was based on the Chlcago Anarchist cases, the defense contending

that by no construction could the author-ity in that case be made a guide here and the state that it covered the very prop-MEN OF AFFAIRS ositions involved here. Judge Wood took the articles for examination and adjourn-ing the trial at 11 o'clock, promised to rule at 2 o'clock in the afternoon. Need Proper Food to Supply the Brain.

A medical journal comments on the restless brain worker of our large cities and refers to the fact that he thinks he knows as much about the needs of the brain, when he is tired and shows brain the new technol amoutifumer rule at z ociock in the atternoon. Senator Borah commenced the day's proceedings by offering and specifically naming the articles in the various num-bers of the Miners' Magazine, which he offered in evidence. To the introduction of each exhibit the defense made general oblaction and stated that it mould served fag, as a trained practitioner. He is inclined to spur up the tired objection and stated that it would present specific objection to each. The general objection was that the cuidence failed to connect the defendant with the murder of

Connect the dorenance with the manual of of Steunenberg. The naming and describing of the ar-ticles in the magazine took nearly half an hour. The articles themselves will be read to the jury later, if the court adits them as evidence.

He is inclined to spur up the fired organs by some stimulant or perhaps quiet his complaint with some narcotic and this plan goes on until suddenly be collapses, for brain fag is a sure sign that the elements that compose the brain are being more rapidly used up than re-placed by the food. There is really a choice of but two pathways for an active brain worker-a man of affairs-when he shows symp-toms of breaking down. Either he must quit work or he must have food that will replace the structure of brain and nerve centers as rapidly as they are used up each day. E. F. Richardson presented the argument for the datense against the admis-sion of the magazine articles as evidence. He maintained that the articles offered by the state failed to show that the defendant had, through these articles, con-tributed anything that might lead to the murder of Governor Steunenberg. He ad-mitted that some of the articles were in-temperate in tone, but were nothing more than "ordinary newspaper abuse."

each day. Chemical analysis of the particles thrown out through the pores of the body shows that after continued brain work, a shows that after continued brain work, a large portion of excreta contain phos-phate of potash. It is known that when this element is furnished by the food in proper quantities, the system unlies it with albumen and from that compound makes the gray matter that fills the nerve centers and the brain. Richardson Quotes From the Spies. Mr. Richardson quoted from the record

This is an especial feature of the food known as Grape-Nuts, a delicious, ready-cooked and predigested breakfast food. A definite and well understood gain in

stand to testify to the finding of the bomb which Orchard placed at the front gate of his home at Twenty-seventh avenue and Humboldt streets, in Denver, The bomb, a pine box, which has been introduced in evidence, was uncovered. Justice Goddard said, by General Buikley Wells, ex-Adjutant-General of the Colorado mi-litia. The box was dug up in February, 1996, following Orchard's confession. Jus-tice Goddard described the bomb in de-tity. W. acid the bomb was to be to the

tail. He said the bomb was taken to the

tail. He said the comb was taken to the Pinkerton office in Denver. Justice Goddard told of the care taken to preserve the bomb intact. He identi-fied the small acid bottle taken from the deadly machine which had been set for copy of the stenographer's minutes be-fore me. I expect to have the decision



about the court, wasn't there, and

brown envelope which contained 12 glant oved from the bomb. The caps, caps removed from the bomb. The caps, the witness said, were found just beneath the acid bottle. Over the objection of the defense the caps were admitted in eviday.

TACOMA, WASH

dence. The bomb contained 37 full sticks of

giant and three cut-off sticks. Justice Goddard identified the covers of two sticks of the powder removed from the bomb, and they, too, were admitted as evidence.

Justice Goddard was cross-examined by deadly machine which had been set for him, but for some reason failed to ex-plode. The proposed assassination of gus-tice Goddard had been planned precisely as the killing of ex-Governor Steumen-berg was carried out, the string to upset the acid bottle being attached to the sate. He went back under ap-pointment of Governor Peabody in Janu-atta and sealed up in an envelope in the presence of the Justice was also identi-fied by the witness, who opened the en-velope himself. Next Justice Goddard opened a large

was appointed the night of the conference at which it was decided that Adam May 22, when it was taken into the sub-urbs and dismantled, all but three sticks of dynamite being exploded. should take the Governorship the next

Wax Bore Pinkerton Seal. Mr. Darrow devoted his inquiry

the

or anamite being exploded. The red scaling wax with which the bomb was scaled was obtained at the Pinkerton office. This concluded the cross-examination and the court ad-journed until 9:39 A. M. tomorrow. 20 bringing out the fact that there was con siderable feeling in Denver and through-out Colorado over decisions by the Su-preme Court in the election cases. "There was some pretty hargh talk about the source ward't these and the

### Philip Lovell, Ploneer.

BUTTE, June 19 .- A Dillon dispatch to the Miner states that Philip Lovell. to the almer states that Finip Loven one of the well-known ploneers of Montana, is dead. He had become wealthy through stock business. Loveli was a prominent figure during the violent days of Montana.

NEWBERG, June 19.-Lewis Platts, a Grand Army veteran past 70 years of age. fell dead here today while standing talking to a neighbor. Death is sup-

