

PLOT TIGHTENS ABOUT HAYWOOD

Richardson Puts in More Good Looks for the Prosecution.

KNOW ORCHARD'S ALIASES

Dramatic Scene in Court When Justice Goddard Identifies Bomb Laid at His Gateway—Magazine Article as Evidence.

BOISE, Idaho, June 19.—(Special.)—Testimony of the most effective character was again introduced today by the state in the case against W. D. Haywood. It was all very strong, but some points were particularly so. One of the striking features was the form taken by Mr. Richardson for the defense, gave to the argument he made against admission of a number of articles from the Miners' Magazine, official organ of the Western Federation of Miners.

Sought to Arouse Class Hatred.

Borah, in his argument in support of the offer to introduce the articles, referred to them as "the papers 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 that they were published in a manner that was an incentive to violence. One of the articles in the famous declaration by Ed Boyce when he was president of the Federation stated that he hoped to see the time when he would hear the music of the tread of 25,000 armed men in the ranks of labor. Richardson explained that the articles, etc., nothing more than bearing of arms for defense against attack, not to commit crimes.

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. He has taken the case very strongly in view of the interest shown some two weeks ago by Mr. Bradley. It does not seem likely the defense will get much from him in this disposition that will benefit them.

TAKES TIME FOR DECISION

Judge Wood to Decide on Admission of Magazine Evidence. BOISE, Idaho, June 19.—The entire morning session of the Steuermann murder was consumed in hearing arguments on the admissibility as evidence of the editorial utterances of the Miners' Magazine, official organ of the Western Federation of Miners, as to Frank Steuermann and others connected with the labor troubles of the miners. On both sides the argument was based on the Chicago anarchist cases, the defense contending that by no construction could the authority in that case be made a guide here and the state that it covered the very points the articles for examination and adjournment of the trial at 11 o'clock, promised to rule at 2 o'clock in the afternoon.

GODDARD IDENTIFIES BOMB

Dramatic Incident When Infernal Machine is Exhibited in Court.

BOISE, Idaho, June 19.—The state today made dramatic production and proof of the Goddard bomb and besides offering further corroboration of the testimony of Harry Orchard against William D. Haywood, secured a ruling under which a number of the denunciatory articles published in the Miners' Magazine, official

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 evidence of the bomb with which Orchard tried to kill him. His appearance on the stand added another to the many dramatic 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 confession, which was shown to him at Denver on February 13, 1906, by Detective McFarland. He at once returned to his home and at his gate discovered the screw eye which Orchard said he placed there. It was rusted and corroded by 19 months' exposure. The witness said he examined the ground outside the gate where Orchard said he placed the bomb and found a slight depression, with the soil packed very hard around it. The bomb was dug up the next day by General Bulkley Wells, who, using a pocket knife, cut the soil away and raised the pine box containing the bomb. There was a small phial on top of the box, and 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 Portland Detective Agency and carefully sealed in wrappers and envelopes that were signed by half a dozen witnesses, including Justice Goddard, and afterward they were placed in a vault, to the door of which five seals, including that of a notary, were attached. There they rested until the following May 22, when, believing the Haywood 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 occurred 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 preserved 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 eye, then the dozen giant caps and last the powder wrappers. Attorneys Richardson and Darrow for the defense 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 San Francisco Harry Orchard hid during part of the time he was conducting his operations against Fred Bradley, gave testimony strongly corroborating Orchard's account of his acts and experiences in San Francisco. Besides confirming Orchard's recital as to time, movements and locations, she testified that she found lead and wood shavings in Orchard's room and that she saw a string and bottle attached to the closet door where Orchard had been experimenting. She said her lodger had a very heavy gun case and that she took up her mind that he was an inventor. John L. Stearns, agent at Denver of the Mutual Life Insurance Company, advised the prosecution that he had secured employment as a solicitor for the company before he went to Canon City to kill ex-Governor Peabody and produced letters of recommendation, which Orchard furnished in response to his request.

Orchard as Insurance Agent.

One letter was from George Pettibone, 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 sidewalk. 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 recommendation as to character. The defense objected to the admission of the letters, but the court permitted their introduction as evidence. Justice Goddard asked if he would take the question of the admissibility of the evidence under advisement and would, if possible, render a decision at 2 o'clock. Court adjourned at 11 o'clock. Judge Wood said that unless the state had other witnesses he would not continue the case until he had reached a decision on the very important matter presented this morning. Senator Borah said that the remaining evidence depended largely on the state's magazine articles. This necessitated an adjournment.

When Orchard's Word Was Good.

The defense objected on the ground that the letters in no way connected Haywood with the death of Governor Steuermann. Judge Wood overruled the objection and Senator Borah read the letters to the jury. The letter from Mr. Stearns 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 character," concluded Mr. Stearns. The letter from J. C. Sullivan commended Orchard as "a man whose integrity is unquestioned and whose general character is good." Henry Cohen, a Denver attorney, wrote of Orchard: "His integrity is of the best and his habits good." Pettibone wrote to Stearns in reply to a letter from the latter asking as to Orchard's character. Pettibone wrote: "In reply to yours of the 7th, in reference to 'Thomas Hogan'—

Articles Show Animus of Federation

Senator Borah argued for the state that the magazines should be admitted because they showed the animus of an organization which the defendant, Haywood, and the other defendants were the officers. He pointed out that the state did not offer the articles as evidence, relying on them to prove the charge of murder, but in order to help the jury in determining, among all the circumstances, what was the animus of the Western Federation of Miners, which Orchard testified was the Secretary and Treasurer and the 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 themselves with rifles. He maintained that if the evidence of newspaper articles was admitted in the Steuermann 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 tried 29 years ago—animus was shown and violence was advocated. Richardson closed the argument. He asserted that in no word contained in the Miners' Magazine, was there an advocacy of the use of arms, and that he would like a right allowed to every citizen and he forcefully argued that the criticism of a political opponent could not be construed as an evidence of murderous intent. Justice Goddard asked if he would take the question of the admissibility of the evidence under advisement and would, if possible, render a decision at 2 o'clock. Court adjourned at 11 o'clock. Judge Wood said that unless the state had other witnesses he would not continue the case until he had reached a decision on the very important matter presented this morning. Senator Borah said that the remaining evidence depended largely on the state's magazine articles. This necessitated an adjournment.

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were printed in anarchist newspapers published by the defendants in the famous anarchist trials resulting in conviction and execution. Mr. Richardson, reading of the anarchist revolutionary writings in the eighties, created a sensation. He gave declamatory emphasis to the fearful advice looking to the wholesale destruction of all who stood on the side of law and order. It was a page from the criminal history of this country unread by a majority of those present in the courtroom, and the extremity of the language used by Johann Most in writing to Spies and by the defendant, adopted by Steuermann, was a revelation. The avowed purpose of Richardson's exhaustive quotation from the newspaper publications in the anarchist case, was to show the tamely abusive character of the evidence offered by the state in the Miners' Magazine.

Continuing his argument, Mr. Richardson said that in none of the articles in the Miners' Magazine was there direct or implied connection with the murder of Governor Steuermann, because of his course in Idaho, but he pointed out that "tens of thousands and hundreds of thousands of people in this country contended or approved the course adopted by Steuermann, and that those who condemned should not be held responsible for the Governor's murder."

Orchard Partial to Fishlines.

Mrs. Seward, of San Francisco, who conducted the rooming-house at which 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. In reply to yours of the 7th, in reference to 'Thomas Hogan'—

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Goddard Identifies Bomb.

Justice Goddard was then called to the 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 described the bomb in detail. The box was dug up in February, 1906, following Orchard's confession. Justice Goddard had been planned precisely as the killing of ex-Governor Steuermann was carried out, the string to upset the acid bottle being attached to the gate. The screws were taken from the Goddard and sealed up in an envelope in the presence of the Justice was also identified by the witness, who opened the envelope himself. Next Justice Goddard opened a large

Men of Affairs

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 fog, as a trained practitioner. He is inclined to spur up the tired organs by some stimulant or perhaps quiet his complaint with some narcotic and this plan goes on until suddenly he collapses, for brain fog is a sure sign that the elements that compose the brain are being more rapidly used up than replaced by the food. There is really a choice of but two pathways for an active brain worker—a man of affairs—who he shows symptoms 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.

Men of Affairs

Chemical analysis of the particles thrown out through the pores of the body shows that after continued brain work, a large portion of excreta contain phosphate of potash. It shows that when this element is furnished by the food in proper quantities, the system unites it with albumen and from that compound makes the gray matter that fills the nerve centers and the brain. This is an especial feature of the food known as Grape-Nuts, a delicious, ready-cooked and pre-digested breakfast food. A definite and well understood gain in brain power and physical strength will set in after Grape-Nuts has been used eight or ten days, and sustained and continued brain work can be carried out if a reliance is placed upon this food in connection with the ordinary food of the day. "There's a Reason." Read "The Road to Wellville," in pink.

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