

Morning Oregonian



VOL. XLVI.—NO. 14,478.

PORTLAND, OREGON, FRIDAY, MAY 3, 1907.

PRICE FIVE CENTS.

BAXTERS ARE SET FREE BY THE JURY

Unknown Letter Writer Is to Be Thanked.

VERDICT IS QUICKLY GIVEN

Fact Men Were Shot in Back Also Has Its Weight.

DRAMATIC SCENE ENACTED

Father, Filled With Emotion, Extends Hand to Members of the Jury—Son Too Weak to Realize Significance of Events.

BY WILL G. MAC RAE

KALAMA, Wash., May 2.—(Special.)—Unless the mysterious letter-writer who knows all about the murder of Jimmy Connors and the unidentified man who was found near here Tuesday should deliver himself to the officers of the law, the killing of Connors and the unidentified man will remain a Cowitz county mystery, for the jury that heard the evidence against the Baxters, father and son, late this afternoon returned a verdict of not guilty. The Baxters were charged with the murder of Connors, who was shot to death at Woodland, March 20, but the jury, in spite of the strong case of circumstantial evidence which the prosecution presented, after deliberating for less than half an hour, pronounced them not guilty, and they were discharged.

It is evident that the 12 men who heard the evidence against the Baxters were largely influenced by the finding of the dead man, and the fact that the attorneys for the defense brought out during the morning session of the trial that the members of the posse that shot and captured the Baxters at Woodland, shortly after the killing of Connors, were under the influence of liquor.

Men Were Shot From Rear.

Attorneys Imus and Stone, in order to prove that both father and son were shot from the rear, placed both of the defendants on the stand. George Baxter, the father, was shot in the leg and Thomas Baxter was shot through the right lung, the ball passing through the liver and lodging against a rib, making it necessary to operate upon him before the bullet was removed. Two physicians who had performed the operation on the father and son testified, and so did both defendants, that the wounds were received from the rear. This fact contradicted the testimony of L. W. Flanders and J. M. Forbes, two of the posse who were alleged to have done the shooting at the Baxters on the night of their capture.

The testimony of Flanders against the Baxters was most damaging, for he told the jury that he had seen the Baxters standing over Connors as he lay between the tracks, a few seconds after the shots were fired, and that after seemingly being assured that their victim could not escape, went a short distance away and sat down, evidently waiting for him to die. When it came to the part that he played in the capture of the supposed murderers, Flanders swore that no shots were fired at the Baxters until they began walking towards them. Forbes, the Woodland saloonkeeper, also testified that they were trying to escape when fired upon. Both of the Baxters swore that they were too drunk to make any attempt at escape and that they were fired upon without warning.

Knew Nothing Until Shot.

George Baxter, in a voice so weak that the jury could scarcely hear him, testified that he had drunk himself into a state of unconsciousness during the afternoon. He could not tell how he reached the car in which he was found by the posse. He said that he could not remember anything from early in the afternoon until just a few minutes before he was shot. He swore that he must have waked up and got out of the car and just as he struck the ground he was shot, for the pains caused by the shock of the bullet plunging through his body was the first thing that he had remembered since early in the afternoon.

Tom Baxter's recital, broken in health as he is, and looking like a man about to die at any moment, had a tremendous effect upon the minds of the jurors. His story, coupled with that of his old father, who told of how beastly drunk his son had gotten that afternoon by drinking straight alcohol, whiskey and beer, got the sympathy of the 12 men, and it obtained for them their freedom.

Discredit Flanders' Story.

Their attorneys also helped them in the arguments, when they argued that Flanders, to shield himself from being arrested and tried for shooting the Baxters, had manufactured the story of seeing the Baxters bending over the body of Connors and of having seen them walk away and sit down. They also argued that Forbes, who had a hand in the shooting, swore that the Baxters were trying to get away, so as to shield himself.

District Attorney H. L. Hubbell, during his arguments, dwelt at length upon the strong testimony which had been given by Flanders, and which was corroborated by his wife, who had also testified to having seen the two Baxters bending over Connors, and of having watched

them while her husband went in search of the posse.

He also laid considerable stress upon the evidence of Dr. Bell, the Coroner, who had attended the wounded man, Dr. R. E. Darnell had testified that both the Baxters were very drunk, but Dr. Bell, in rebuttal, had testified that when he started to examine Tom Baxter's wound and had asked Tom who had shot Connors, he replied, "I know, but I'm not going to give it away."

Before Tom could say anything more, the father rushed out of the cell and said: "Tom, Tom, I wish it was me they had shot." This, District Attorney Hubbell argued, was positive proof of the guilt of the pair.

Dramatic Scene in Courtroom.

It was 8:15 o'clock when the jury announced that they had reached a verdict, and those who were in the dingy old courtroom will perhaps never forget the scene between the jurors and George Baxter and his son. When the jury filed into their seats, father and son were seated across the room facing the jury box. As soon as A. R. Gray, who had been chosen foreman, handed the verdict to Judge W. W. McCredie, and it



Mabelle Gilman, Future Wife of W. E. Corey.

had been read by the clerk of the court, George Baxter rushed to the side of his attorneys and grasped them by the hands. Then he had his lawyers request of the court that he personally thank the jury. With the permission granted, Baxter rushed over to the place in front of the jurors and raising a long bony finger aloft, he said:

"You are just and honorable gentlemen. As God is above me, we have told the truth. My son and me never killed Jimmy Connors. We told the truth. If we knew who did it we would have told it long ago."

Then Baxter shook each juror by the hand, and once he got them around him he began to tell of the injustice done him and his son by the District Attorney and the other officials.

Tom Baxter, hollow-eyed and staring with terror and pain, did not seem to realize that he had been acquitted. Like a man in a trance he watched what his father was doing without comprehension. For a second he seemed about to collapse, but instead he leaned over to me and asked in a dull whisper, "What was the verdict?" I told him that he had been acquitted, and he sank back into the arm rocking chair in which he had sat during the two days of the trial and closed his eyes for a second.

Then he slowly rose to his feet and tottered over to where the jurors were about his father and tried to thank and shake hands with them. He was too weak and had to be assisted to a chair. A number of the jurors walked over and grasped him by the hand. They seemed to be proud of what they had done.

Letters Set the Men Free.

The acquittal of the Baxters will undoubtedly be the end of the double murder mystery. Whoever wrote those letters to the county officials, has positive knowledge of both crimes, if he did not actually have a hand in the commission of both brutal murders. The county officials are without a clue leading to the identity of the man who wrote the letters. Whoever he is, he is a master destroyer of human life, and at the same time he has proven himself an angel of freedom to the Baxters. He timed his letter writing to a nicety, and if it was a plot to obtain the freedom of the two men who were accused of having killed Connors, it was well and cunningly done. The letter to Sheriff Kirby, telling of the confession, was a clever fake, for from this letter it would have been impossible to have located the body of the second victim.

It was through the letter to District Attorney Hubbell that the body was found without much hunting. Nothing is plainer than the fact that the man who wrote this letter had a hand in the murder of the last victim found. That he had a hand in dragging the body down the roadbed, across the brush and of having helped lift it over the wire fence and placing it where it was found, is also evident. The murderous letter-writer also knew there had been nothing left on the murdered man that would lead to his identification. The only thing he overlooked was two silver dollars that were found in each stocking of the dead man, and a bit of paper on which was written, "E. J. Gallant, Wichita, Kan., P. O. Box 406." The officials do not believe that this is the dead man's name, but they have written to the Kansas address.

That the murdered man was one of the party of six men that had taken part in the drunken orgy at Woodland there is little doubt, for in his pocket was found the saloon card of Forbes. Strength is given this belief by George Baxter, who, without knowing anything about the finding of the body, in describing his companion of that day, gave a splendid description of the dead man. He also described the Mackinaw coat that was found near the body.

The jury that heard the case follows: A. R. Gray, of Kalama; Henry Diener of Little; John Foulke, Kelso; Frank Hammel, J. Newton, of Castle Rock; Sam

(Concluded on Page 5.)

MARRY PAINTED STAGE CREATURE

Uncle's Bitter Comment on Steel Magnate.

SAD DAY FOR COREY FAMILY

Shock Great as That Caused by His Divorce.

ALL ESTRANGED FROM HIM

Uncle Will Preach on Marriage and Divorce Day Before Wedding. Father Said He Should Go to the Penitentiary.

PITTSBURG, Pa., May 2.—(Special.)—The formal announcement by Miss Mabelle Gilman in New York that she would marry President W. Ellis Corey, of the United States Steel Corporation, in New York, May 13, caused great grief in the breast of J. B. Corey, the aged and wealthy uncle of the bridegroom. He will go into a local pulpit the day before his nephew is married, where it is expected he will speak of divorces and marriages.

"So Ellis is going to marry that painted creature of the stage? Well, this is a sad day for the name of Corey," said the old coal king today, as tears coursed down his cheeks.

"Mark you, this marriage will be regretted in time," continued Mr. Corey. "It is neither human nor decent that a man should divorce the wife of his youth, the mother of his children, in order that he might marry another woman—and one of the stage at that."

Resents Uncle's Advice.

"Ellis and I have not been friends," continued the falling old man. "I tried to keep him in the right path when he began to get famous, but he resented it. I tried to tell him not to run steel mills on Sunday and offered him other advice, which he steered at."

The marriage of Mr. Corey to the petite Mabelle, whom he first met in her bathing suit at Pittsburg, is looked upon as a shocking performance by the staid relatives of the head of the United States Steel Corporation and they have not yet got over the shock of the divorce in which Mr. Corey and his wife figured a short time ago, and in spite of the statement from Miss Gilman that both her family and that of Mr. Corey would attend the wedding, it is thought the Pittsburg relatives will have nothing to do with the affair.

Estranged From Father.

A. A. Corey, father of the steel king, could not be found today, having left word that he had gone out of town. There has been a great coldness between father and son ever since the father announced that if Ellis was allowing his wife to

get a divorce in order to marry the more shapely actress, he would favor sending the younger man to the penitentiary.

Former Wife Is Silent.

Mrs. Laura A. Cook Corey, the wife who got a divorce in order that Mr. Corey might be free to marry the actress, is in the vicinity of Pittsburg, but her friends say she will have nothing to say on the matter. She has been spending the most of her time with her parents, Mr. and Mrs. Frank Campbell, of Swisshale. However, she has visited frequently at the home of Alfred A. Corey, father of the steel man in Bradstock.

Canada Faces Fuel Famine.

WINNIPEG, Man., May 2.—The fuel famine is assuming serious proportions. Hardly a town in Western Canada, having enough to last a week. The coal shortage is creating much apprehension. At Calgary many people are down to their last pound of coal and many industries have closed.

Some 7000 cars are tied up upon the Great Northern between Winnipeg and Fort Frances, the company being unable to bring them in, owing to a shortage of engines.

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FEAR OF VIOLENCE IN AIR OF BOISE

Outward Calm Precedes Haywood Trial.

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Governor Gooding Is Deluged With Written Threats.

ORCHARD IS MARKED MAN

Informer's Death by Hand of Avenger Predicted—Citizens Will Also Run Risk by Serving as Jurors in the Trial.

BOISE, Idaho, May 2.—Counsel for prosecution and defense in the Steuenberg murder case have settled down to their final preparatory work, and there is every reason for believing that the trial of William Haywood, first of the accused men, will be commenced on Thursday next. Various reports as to moves tending to further delay the trial are in circulation, but the attitude of both sides indicates that they are ready for trial.

The only preliminary proceeding pending is a motion by the defense for a bill of particulars of the evidence by which the state hopes to show that Haywood conspired to the murder of Governor Steuenberg. This motion, which is designed to secure a disclosure of the hand of the state, will be argued before Judge Wood on Monday next. This is not regarded as likely to delay the trial. The Idaho code and practice, modeled closely upon those of California, make no provision for bills of particulars in criminal cases, and in the only precedent recorded in the Idaho reports the court denied the application, holding that the power to require the furnishing of bills of particulars in general was discretionary with the court. It is asserted that no right of appeal goes with such a motion, and neither side seems to regard the matter seriously.

Avoid Discussing Case.

This oasis of the American desert to which the leaders of the Western Federation of Miners have been brought to answer to the capital charge that they conspired the murder of a former Governor in revenge for his activity in suppressing disorder in the days of violence in the Cœur d'Alenes seams to grow in exterior placidity as the date of the opening of the first trial closely approaches. The officials of the state, county and city, counsel chosen to present the case of the state, and men who lead in the life and work of the community have reached a point where they decline to publicly discuss the case, or the men at the bar. The streets, stores, and hotels present no scenes foreign to the routine of the day's work. It would seem that

and attitudes of thousands a contest between the classes rather than a trial on a charge of murder. In few minds is there belief that Haywood, Moyer and Pettibone, their friends or the men affiliated with them in labor union circles would approve, much less encourage, any act of violence at this time, because such act, it is believed, would be a fatal error. But there is a general fear that from the ranks of the violent radicals there may come a man or men desperate enough to attempt assassination, or that the same agitator may give sinister suggestion and inspiration to some crank or irresponsible.

Threats Pour In on Gooding.

Letters that threaten every form of violence are pouring into Boise from all corners of the country by the hundreds, and most of them are directed to Governor Frank R. Gooding, who has made largely to bear the brunt of all that this celebrated case invites. Detectives, police and friends of the Governor generally are constantly on the alert to block the blow, and at the insistence of family and friends he has finally and under protest arranged the routine movements of his life and reached a point offering the least exposure compatible with the performance of his duty. Mr. Gooding may be in no danger from any source, but he and his friends live every hour in the chill atmosphere of danger and to them the tragedy is ever real.

Orchard's Doom Predicted.

Another man similarly marked in the belief of many men is Harry Orchard, alleged to be the assassin hired by the three prisoners, whose alleged confession is the basis of the state's case. Perfectly reasonable men here look at the high witness chair in the County Courthouse, shake their heads seriously and tell you that Harry Orchard will die in it. They tell you, too, that if he were turned out of prison tomorrow his body would be found within a week. Harry Orchard may live to die on the gallows for his confessed part in the murder of Steuenberg, but such is not the belief of all the men in this community.

This same apprehension offers a difficulty that stands in the way of the prosecution in securing a jury. Moreover, this has been a man-killing country, and, under the shadow of a strong suspicion that there may be avenging murders by cranks or others, it may prove difficult to secure 12 men willing to run the suspected risk, even in this country of courageous and self-reliant men, of finding a verdict of guilty, assuming, of course, that the state establishes its case.

OPPOSED TO DARROW'S MOVE

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ber of the community had assumed a judicial attitude toward the celebrated case and had disciplined itself in the face of it. The occasional man, free from alignment or partisanship, who will discuss the case openly, generally tells you that Boise knows neither labor unionist nor mine-owner, knows only that a cruel murderer, one of a long series of shocking crimes, has been done, that the state's business is calmly and fairly to try the men who are accused, to free them if they are innocent, to hang them if they are proven guilty; and to do this fearlessly.

Suppressed Fear of Violence.

But under the surface of calm there is a strong undercurrent of apprehension and nervousness, tragic in many of its aspects. Violence is the ever-present fear. The position of the prisoners and their activity through years of bitter labor warfare, the dissemination over their arrest in Colorado and removal to Idaho, the rallying of thousands of workmen to their support, and the radical propaganda undertaken in their behalf, together with the intense feeling against the "Mine-Owners' Association, and other incidents have served, rightly or wrongly, to make the case in the minds

PEACE GAINED BY JUST MAN ARMED

Kind of Peace Roosevelt Would Seek. CONDEMNNS SLOTHFUL NATION



W. E. Corey, President of United States Steel Corporation, Who Will Marry Mabelle Gilman, After Having Divorced Wife of His Youth.

WASHINGTON, May 2.—President Roosevelt, in an address at the unveiling of the statue to General George B. McClellan today, characterized as weakness the desire for peace unless it could be obtained on the right terms. He would have none of the so-called peace, if it were merely "another name for self-indulgence, for sloth, for timidity, for the avoidance of duty." The man who would do the best for the country in peace, the President declared, is the man who in need will do well in war. He continued:

Seek the peace that comes to the just man armed, who will dare to defend his rights, if he must, in arms. Seek the peace granted to him who will wrong no man and will not submit to wrong in return. Seek the peace that comes to us as the peace of righteousness, the peace of justice. Ask peace by your deeds, as your powers warrant you in asking it, and do not put yourself in the position to crave it as something to be granted or withheld at the whim of another.

Place Spiritual Life First.

If there is another thing which we should wish our Nation to encourage, it is that of those who would reinforce the lower prompting of our hearts and so teach us to seek only a life of effortless ease, of mere material comfort. The material development of this country, of which we have a right to be proud, provided we keep our pride rational and within measure, brings with it certain great dangers, and one of these dangers is the confounding of means and ends. Material development means nothing to a Nation as an end in itself. If America is to stand at the vanguard of the evolution of what shall be comfort and luxury, then it will stand for little, indeed, when looked at through the vistas of the ages. America will stand for comfort, provided only that it treats material comfort, material luxury and the means for acquiring such as the ends, to be attained at the cost of the real life, the life of spiritual and moral effort and achievement.

True Test of Rich Men.

The rich man who has done nothing but accumulate riches is entitled to but the scantest consideration; to the men of real power it is with the individuals. Looking back through history, the Nation that we respect is invariably the Nation that struggled, the Nation that strove toward a high ideal, the Nation that recognized in an obstacle something to be overcome and not something to be shirked.

Good Woman Ahead of Soldier.

The President said that we are yet a good many thousand years short of the millennium and our business is to do our own duty and teach our children to do their duty in a rough, work-a-day world, "and," he said, "we can not do that duty by fine phrases." There was one person in this country, he declared, he put ahead of the soldier—the really good woman, the good wife and mother, who has done her full duty." He said of her:

She often has a pretty hard time, yet the woman who thus, with labor and anxiety brings up her children is blessed among women, blessed among men. I do not pity her in the least. I respect and admire her and hold her worthy of admiration and honor. The selfish creature, man or woman, who reaches old age, having achieved ease by shirking duty, is to be heartily despised and not envied. Our admiration is reserved for him or for her who has done the real work which makes the next generation able in its turn to do its work in the country.

Need of Righteous Wrath.

Mr. Roosevelt criticized a "weak good nature, incapable of righteous wrath," saying it was almost as unfortunate an

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