

## FATE OF NEVILLE MAY BE REVEALED

### Did Federation Put Him to Silence?

### KNOW OF INDEPENDENCE AFFAIR

### State Has Corroboration of Bradley Explosion.

### PLOTTERS IN TRAIN-WRECK

### Haywood's Prosecutors Prepare to Undermine Theory of Defense. Detective Who Became Union President Will Also Testify.

BOISE, Idaho, June 10.—(Special.)—How many things will come out before the examination of Orchard is finally concluded none can say, but there are a good many stories that have not yet come to the surface. One of these has to do with Jack Neville, respecting whose trip with Orchard so much was said in court today. It was this man whose saloon Orchard burned at Cripple Creek with his knowledge and consent, so he might secure the insurance money, some \$700. Orchard had made arrangements to leave the country with Neville the night of the explosion at the Independence depot.

In order to deceive his traveling companion, Orchard started out with him and then made an excuse to ride back some eight miles. He had one of the horses and after the explosion he rode the animal back to the place where camp had been made for the night. Neville had heard the explosion, and asked if one of the mines had been blown up. Orchard said he knew nothing about an explosion. The two journeyed together to Denver, then to Cheyenne and on to Wyoming. Orchard parting company with Neville at Thermopila.

### Demanded Pay for Silence.

As the portion of the story unfolded on the stand goes, Orchard was careful to avoid telling Neville what had been done, but the latter got it very straight in his mind that Orchard had slipped back from camp that last night at Cripple Creek and blew up the Independence platform. Orchard had made capital of that knowledge. He wound up down in Nevada without funds and then began making demands on the Federation officials for money. These demands gradually grew until he finally demanded \$1200 as the price of silence. It was then determined, according to the story, to send two men to Nevada to close his mouth. Neville died some time subsequently, and there are conflicting stories of the manner of his demise.

### Prove Attempt on Bradley.

Though Fred W. Bradley is so situated that he cannot come here to testify respecting the attempts to take his life in San Francisco, the story told by Orchard is likely to be very fully confirmed. It has been known for some time that the state has a number of witnesses who will corroborate a great many of his statements. One of these is Gubbini, the man who kept the combination store and saloon at the corner near the Bradley home, where Orchard says he loafed. This man is now here. He will give a great many details of Orchard's movements. The incident of the milk being brought to him to send down town for analysis is one of them. Another is the fact that Orchard asked him to secure a room for him overlooking the Bradley flat. His excuse was that he wished to flirt with the domestics in the Bradley household. Gubbini secured him the room from which he watched the habits of the Bradley family. Mrs. Crowe, the cook in the Bradley home, will also be here.

### Basis of Defense Theory.

The theory which the defense has been pushing forward all through the cross-examination of Orchard, to the effect that he was employed by the mineowners' association to go about the country killing mineowners, managers, and nonunion men, has its foundation in a case that arose at Cripple Creek over an attempt to wreck a train carrying nonunion men. The case came up before a court servant to the Federation power and went off without much investigation, as alleged by anti-Federation people, as was demanded in the interests of justice. Witnesses were introduced who made certain statements which were accepted. These tended to show that the track was torn up by detectives for the purpose of bringing odium upon the union men.

It is alleged that the exact facts were never disclosed, but it is undisputed fact that the train was not wrecked. The writer has it from men who assisted in preventing the wreck that they were warned and discovered the attempt in time. They had a man with the gang of wreckers and he gave a signal when the raid was made, to insure his own safety in the event that shooting should occur. But witnesses went on the stand testifying it was a detective plot, an alleged detective admitted having something to do with it, and the whole matter was dropped. What is the truth is difficult to say, but it is the foundation for this theory that the mineowners themselves set about the reign of murder.

It is quite probable, therefore, that the whole matter will be more fully explained before this case is closed.

### Get Facts About Train-Wreck.

Orchard will testify on redirect examination of many matters that have been partially brought out by Mr. Richardson's cross-examination, and it is thought likely he will go into this train-wrecking matter more fully. He admits having had some dealing with Detective Scott and Sterling, but he says he gave the officers information respecting the plot to wreck the train. One of these men, D. C. Scott, is here as a witness for the state, and between him, Orchard and others, the true story of that affair may be brought out. Certainly, Mr. Scott's relations with Orchard will be fully disclosed.

Since the defense seemingly adopts the policy of charging the murders to the mineowners, relying upon this train-wrecking matter as proof that the representatives of the mining men were engaged in such business, it seems likely a strong effort will be made to bring out the exact facts and thus undermine the whole theory.

It is understood that much documentary evidence will be produced to verify Orchard's story. For instance, he testified he got one consignment of money by registered mail. Fortunately the records of the San Francisco Postoffice were not destroyed in the fire and it is understood evidence of the receipt of that letter will be exhibited. It was sent by a man named Wolfe, secretary to Pettibone, and the Denver record of sending is thought to be available also. How much evidence of that character the state has is not known, but it is said to be voluminous, covering a wide field.

Steve Adams arrived here from the North this morning, in charge of two officers. No one but his attorneys and his wife is permitted to see him. On the way down he was very chipper and defiant. The state will put him on the stand, but it is the impression he will decline to testify. However, that is not certain. If he does testify, one of the most interesting chapters of the case will thereby be opened.

### Spy in Federation Ranks.

Harry Riddell, who has been connected with the Western Federation in the interests of the Pinkerton agency, is one of the men attracting great attention here. His connection was not suspected until his name was placed on the indictment by the state as one of its witnesses. He had been chosen as a delegate from the Eastern Federation, to the Federation meeting in Denver, but his uncovering led to prompt protest against his acting, and he is here instead of being at the Denver gathering. He has been playing that part for five years and has been a union president. It is believed he was one of the most important witnesses for the state.

### ENDEAVOR TO SHOW CONTROL

Defense Claims Point That Orchard Is Inspired by McParland.

BOISE, Idaho, June 10.—Into the further cross-examination of Harry Orchard today counsel for William D. Haywood, repeatedly bringing the suggestion of a great counter-conspiracy, formulated and carried out by the enemies of the Western Federation of Miners, and indicated a determination to construct their main line of defense by slow steps and through the minutest details from the dynamiting of the Independence Station down to the killing of the miners, Frank Taylor and his family, and in addition to a series of particular attacks on the credibility of the witness and the general probability of his stories, and preparing the way for their own testimony in rebuttal, they sought to show that Orchard has a mania for boasting of the commission of crimes, non-existent except in his own mind, and that he is testifying under the control and suggestion of Detective McParland.

They began today by making it clear that as far as Orchard knew of his own knowledge, Haywood, Moyer and Pettibone had nothing to do with the planning of the murder of Detective Gregory.

Passing then to the dynamiting of the Independence Station, the first crime which the testimony of Orchard directly connects Haywood, Moyer and Pettibone, they endeavored to show that Orchard in springing the case had purposely sought to spread the oncoming train and the nonunion men who were expected to entrain, and that the whole plot was engineered by agents of the mineowners and railway managers, who wanted a comparatively harmless "outrage" to injure the union miners who were on strike. Leaving the Independence Station crime, which was followed by the flight of Orchard into Wyoming and then by his unexpected return to Denver, counsel for the defense sought to show the story that Haywood directed Orchard to kill Andy Mayberry by showing that Haywood and Mayberry were old and intimate friends. Getting down to the Bradley crime they devoted themselves largely to the revolting story of Orchard's attempt to poison the entire Bradley household, including the infant child, which he had seen in a baby carriage, and Mrs. Crowe the cook, with whom he had made friends and whom he had escorted to a theater. Into stronger relief than had the direct examination, they threw the utter depravity of the witness and gave the waiting crowd the one despoiled thrill of an otherwise wearying day.

Orchard swore that while in San Francisco, he repeatedly received money from Pettibone who used the name of "Fat Bone," in transmitting it and in making this clearer today, the defense gave evidence of a plan to show that this money was used by Pettibone's name thinly disguised by persons plotting against the leaders of the Western Federation of Miners.

Orchard denied that mineowners or railway men had any part in the Independence station outrage, denied that he had a mania for confessing uncommitted crimes, and denied that he is under the influence of McParland. He showed some spirit in answering many of Attorney Richardson's questions, but he firmly held to all of his first stories and was calm and certain throughout the long trying examination.

Two more crimes were brought home to Orchard today. He confessed that he burned a cheese factory in Ontario to

## CASE COMPLETE AGAINST SCHMITZ

### Heney Suddenly Closes Evidence.

### CONFIDENT OF CONVICTION

### Would Not Call Ruef, Lest He Play False to State.

### FULL PROOF OF THE PLOT

### Licenses Held Up Till Blood Money Paid, but Then Renewed—De- fense May Finish Evidence Before Tonight.

SAN FRANCISCO, June 10.—(Special.)—With a suddenness that startled the courtroom, Francis J. Heney announced this afternoon that the prosecution had completed its case against Mayor Schmitz. The attorneys for the defense, caught by surprise, asked the court for time for consultation, and in a few moments J. C. Campbell, chief counsel for the Mayor, stated that the defense would put in its evidence in quick time tomorrow, and he added that, unless the cross-examination were prolonged, the case would be ready for argument by tomorrow night.

It had been generally supposed that Mr. Heney would put on from eight to ten more witnesses, including Abe Ruef. These witnesses were counted on to tell of the extortion practiced by the Mayor against low dives, saloons, fashionable cafes and all other places which depended upon the favor of the administration for their property. Judge Dunne ruled this afternoon that the prosecution could put on only those witnesses who could give testimony bearing on the French restaurant hold-up. This decision will cut out a vast amount of testimony which was bound to have a powerful effect upon the minds of the jurors, but Mr. Heney was as confident tonight of a conviction as he has been since the beginning of the trial.

### Burns Says Case Is Complete.

Mr. Heney's view is shared by William J. Burns, who told The Oregonian correspondent tonight that he regarded the proof against the Mayor as complete. Mr. Burns added with a knowing look:

"Wait till you hear Mr. Heney's closing argument."

The prosecution has taken its case through the mazes of the administration intrigue, showing first that the Mayor called a conference of the Police Commissioners and ordered them to hold up the licenses of the French restaurants, then establishing the fact that the restaurant proprietors raised a protection fund and paid it to Ruef, not as an attorney's fee, but as political blood money, and that immediately thereafter Schmitz called the Police Commissioners together and ordered them to grant the licenses which a few weeks before he had instructed them to withhold.

While there is hardly a citizen in San Francisco who has not been convinced

by the testimony of the Mayor's guilt, there is some disappointment over the failure of the prosecution to place Ruef on the stand and bring out the fact that Schmitz urged Ruef to collect the fund and that the Mayor then shared it. It was pointed out tonight by members of the prosecution that this is not necessary to fasten the crime on the Mayor. It is not necessary to prove that Schmitz shared in the fund, but under the California law it need be shown only that Schmitz was a party to the plot to force the payment of money for protection.

It may be stated that the prosecution would place Ruef on the stand were it sure that Ruef would not attempt to save his own face and in so doing injure the case against the Mayor.

### May Call Him in Rebuttal.

Interest centers upon the action of the defense tomorrow. It is reported, but not confirmed, that Schmitz will take the stand in his own behalf. Should he attempt to shield himself, Ruef may be used in rebuttal by the prosecution.

Mr. Burns said tonight that he had little fear as to the outcome.

"We have shown," he said, "that the French restaurant secured their licenses without any trouble for 49 years, and that suddenly one day Mayor Schmitz called the Police Commissioners together and ordered the licenses held up. We have also shown that, as soon as the money was paid to Ruef, Schmitz switched about and ordered the licenses granted. I believe we have established our case."

### HENEY SURPRISES DEFENSE

Exclusion of Collateral Evidence Suddenly Ends Prosecution.

SAN FRANCISCO, June 10.—The ruling by Judge Dunne that resulted in cutting short the state's case against Mayor Schmitz was the sustaining of an objection to the introduction of a mass of testimony tending to show that the Mayor had made a contract in order to show his fast and loose with restaurant and saloon licenses and had ordered a number of them held up out of ulterior motives. This testimony the state proposed to offer under that provision of the law permitting the people to prove the commission by the defendant of offenses similar to the one charged, in order to show his criminal intent in perpetrating the latter. This would have been allowed by Judge Dunne had the state been able to answer affirmatively the question from the bench:

"But do you intend to show that money passed in these other alleged hold-ups of licenses?"

Mr. Heney was compelled to reply: "No, but we can show that the motives actuating the Mayor were ulterior, were not motives of duty or in the interest of public morals."

After further argument, Judge Dunne ruled that the state had the right to prove similar offenses, but that the proof must be very specific. The court declined to rule as to the alleged police-protected brothels until further advised as to the exact circumstances. The court held that the matter of instructions and revocation of instructions by the Mayor to Police Commissioner Reagan in the matter of licenses was not proper evidence. The court said the objections to it would be entertained at the proper time.

### Assistant District Attorney Heney

then said that the state would offer to prove that the owners of the municipal brothel on Jackson street had arranged to pay Ruef for police protection one-sixth of the profits of the place, and that Ruef was to divide with the Mayor.

Mr. Heney announced that this afternoon session, told of his relations with Ruef. He said he paid Ruef \$1000 in gold for protection to his business.

Mr. Heney announced that the prosecution rested its case. Counsel for the defense held a 15-minute conference, after which Mr. Campbell outlined the case of the defense and asserted that Schmitz was entirely innocent. Court then adjourned until tomorrow.

### Gas Company Cases Go Over.

SAN FRANCISCO, June 13.—In Judge Lawlor's court, this afternoon, the bribery cases of Eugene de Sabin, Frank C. Drum and John Martin were continued until Wednesday, some of the attorneys being detained in another department of the Superior Court.

## CHILD LABOR AND LARGE FORTUNES

### Roosevelt Speaks on Two Live Topics.

### SEES WHOLE JAMESTOWN FAIR

### Declares for Graduated Tax on Inheritances.

### OTHER NATIONS' EXAMPLE

### Warns Editors Against Arousing Class Hatred—Proposes Employ- ers' Liability and Condemns Court Decisions Against It.

NORFOLK, Va., June 10.—This was Georgia day at the Jamestown Exposition, and the opening of Bullock Hall, a replica of the early home of President Roosevelt's mother, at Roswell, Ga., erected as the Georgia state building, was the feature that drew Mr. Roosevelt to the exposition for a second visit.

From the time the President and Mrs. Roosevelt and their distinguished guests were landed at the Government pier at 10:50 this morning until their departure at 4:37 o'clock this afternoon, every minute was occupied. The President spoke at the Georgia ceremonies from the reviewing stand, and this afternoon addressed the National Editorial Association in the exposition auditorium. On both occasions he was given an enthusiastic welcome.

He visited the Georgia building, the New York building, and the negro exhibit, and in his drives over the grounds thousands of people lined the streets and gave him a continuous ovation. The schedule arranged in advance was followed to the letter, and when the Mayflower weighed anchor at 5 o'clock and the party started on its return trip to Washington, an unusually strenuous day was ended without an incident of note having occurred.

### Topics He Discussed.

The President's speech at the Georgia building dealt mainly with the questions of child and female labor and employers' liability, and he took decidedly advanced ground on both questions. He gave the editors some advice on avoiding class hatred, then launched into a declaration of his public land policy, but the most important of this address related to the income and inheritance tax project, on which he enlarged in considerable detail.

The President was the guest of the exposition for about nine hours, arriving with a special party, including Mrs. Roosevelt, on the Mayflower, at 3:30 A. M. After receiving the Georgia officials on board and with them as his guests in reviewing the fleets assembled in Hampton Roads, he was landed at the Exposition grounds at about 11 o'clock.

The weather was just cloudy enough to break the heat of the sun. From early morning every streetcar and boat arriving at the Exposition deposited hun-

dreds of passengers. Every part of the Exposition grounds, except the "War Path," was covered by the President in his strenuous day.

### Holds Naval Review.

The New York building and the Georgia building and the negro exhibit, situated at the extreme ends of the grounds, and the reviewing stands and the auditorium, where the speeches were made, are about in the center of the grounds. The reservation was thronged with the greatest attendance since the opening of the Exposition, and the President was given a reception fully as enthusiastic as that accorded him on the occasion of his first visit.

As the Mayflower steamed down the long column of vessels, each in turn greeted the President, who occupied the bridge of his yacht, with a salute of 21 guns. The foreign vessels had the position of honor in a line nearest and parallel to the Exposition grounds, and were reached first by the Mayflower, so that their guns were the first to be heard in sounding their salutation. Each foreign and American ship manned the rails as the President passed in review. From Discovery Landing the President's party were driven through a guard of honor formed by the Georgia troops, the cadets of the military and naval academies, and the Virginia Military Institute.

President Mitchell, of the Georgia Commission, introduced President Roosevelt as "the most distinguished of Georgia's grandsons, the President of the United States."

President Roosevelt then delivered his first address. He spoke for about an hour, and was cheered throughout his entire speech.

### Against Class Hatred.

Mr. Roosevelt began by speaking in complimentary terms of the history and progress of Georgia and expressed pride at being descended from the first Governor of the state. He spoke of the essential unity of the people of every state and then condemned class animosity, saying: "Now and then we meet well-meaning people who have a genuine horror and dread of all rich men and think of them as being set apart by peculiar vice and iniquity. Now and then we meet equally well-meaning rich men who have an equally irrational dread of those whom they style 'laborers.' In each case I think the hostility is in large part due to a want of sympathy caused by complete ignorance of the conditions of such distrust or anger. As a matter of large fortune and a like number of wage workers, we find that in their essential human nature they are all alike."

He went on to say that while we should punish every wrongdoer, we should avoid an attitude of vindictive hatred towards him.

### War Against Child Labor.

He advocated foreign immigration to the South and good education to all children, regardless of color. He spoke particularly of the need of technical education and then discussed child labor, saying: "It is a matter for congratulation that there is a steady and increasing movement in the Southern States in everything pertaining to children. This has already markedly shown itself in the fact that child labor in warring against the evil of child labor is making a headway. It is a very poor place for a child; indeed, personally I would not care to see a child in a woman's—certainly for a married woman—for an unmarried woman for more than a very few years. If an community organized on really healthy lines, the average woman will have quite enough to do in her own home, and I hope will never be anywhere else can she do work of such value to the Nation as a whole—and by work I mean her housework, her work as housewife and mother, and not so-called 'home industries.'"

### Children Nation of Future.

As regards children, it is as essential to look after their physical as their mental training. The Nation's most average grow up ignorant; and if they are sent to school they cannot, while young, also work hard outside without detriment to mental and moral. There is urgent need for the health authorities to increase their care over the hygienic conditions and surroundings of children of tender years, and especially to supervise those in the schools. It is a good thing to see young children, to try to build up degenerate children; but it is an even better thing to try to keep healthy in soul, body and mind those children who are now found but who naturally grow up unground if no care is taken of them. The Nation's most average is the children; for the children are the Nation of the future. All people alive work I mean, her housework, her work as housewife and mother, and not so-called 'home industries.'"

(Concluded on Page 3.)

## JAPANESE PLOT FULLY UNMASKED

### Reports of Takahashi Sustain Story.

### AOKI STAVED OFF DEMANDS

### Feared War if Immigration Law Was Opposed.

### DELEGATES SHOW ANGER

### Contradiction Between His State- ments and Straus' Exposed—Taka- hashi Goes to Japan to Arouse Public Opinion.

WASHINGTON, June 10.—Thousands of dollars are being raised by the Japanese of the Pacific Coast to carry out with the Progressive party of Japan for the overthrow of the Satoji ministry, the annulment of the exclusion clause in the immigration bill and the guarantee of the naturalization rights of the Japanese residing in this country. These additional factors in the international plot were vouchered for in semi-official circles tonight. The enormous fund which is being collected will be used to arouse a feeling in the Japanese empire antagonistic to the American Government.

Notwithstanding the sweeping denial of the existence of the alliance between the Japanese of the Pacific Coast and the Progressives, the anti-administration party of Japan, given out by Charles Takahashi, of Seattle, the Associated Press today secured the text of certain reports which he forwarded to M. Yamaoka in Seattle and the Japanese Society of Seattle.

### Demands Made on Aoki.

In one of the reports, which it was authoritatively stated today, was forwarded read by M. Takahashi at a secret mass meeting of Japanese in Seattle on the evening of May 25, he quoted Ambassador Aoki's statement in regard to the relations between the United States and Japan growing out of the recent disturbances in San Francisco and the adoption by the Congress of the United States of the immigration law excluding coolie labor from Continental United States. Takahashi's report in part is as follows:

"My object in discussing the Japanese immigration limitation law with Ambassador Aoki was:

First—The nullification of the present immigration limitation law.

Second—Opposing the would-be immigration law (proposed new treaty) said to be completed by Japan and the United States.

Third—Acquiescence in the Japanese naturalization rights in the United States.

### Aoki Feared War.

To these discussions Ambassador Aoki said:

"Japan has ample grounds to oppose the immigration limitation law. It is an extreme, I fear. Regarding this Japanese limitation law, the Japanese government absolutely disagrees with the United States and the United States government for the Japanese people, which the United States Government will eventually to grant. At present it is re-election of a President is nearing, America is so hesitating at this time to bring up these questions, which are unpopular in American politics."

What he called attention to is the fundamental antisemitic statements that the embassy made compared with those of Secretary Straus (interview on May 7). We cannot ourselves be satisfied with the uncertainty and the contradictory statements.

### Straus Contradicts Aoki.

Before the departure of Mr. Takahashi from this city he sent to Mr. Yamaoka, who had not then sailed for Japan, a report in which he told of a conference with Secretary of Commerce and Labor Straus on May 7 regarding the immigration laws. In this report, Mr. Takahashi quoted statements made by Mr. Straus which he said were directly contrary to those made by Ambassador Aoki as to the agreement of the two governments on the clause excluding Japanese laborers from this country. The report says:

Secretary Straus told us the exclusion clause in the immigration bill, as well as the rule promulgated by the Department of Commerce and Labor on March 22, were made with the consent of the Japanese Embassy and the Japanese government. Compare my previous telegrams and reports and you can clearly see the difference and contradiction from what was assured to us by Ambassador Aoki and Counselor Miyakawa, of the Embassy. The Japanese Ambassador, as we have stated in our telegrams and reports, assured us that the Japanese government never for one moment agreed with the limitation of immigration as presented to us today.

### Declines Dinner Invitation.

It was after the interview with Mr. Straus that Mr. Takahashi and Mr. Kawakami received an invitation from Viscount Aoki to dine at the embassy. Mr. Takahashi's answer, it is said, was: "We did not come to eat, but to settle grave diplomatic questions."

Just before Mr. Yamaoka's departure for Tokyo on May 14 Mr. Takahashi sent him a telegram from Washington as follows:

"Leave for Japan instantly and arouse public opinion as we understood before there is no hope with the Japanese embassy here."

### Ambassador Will Not Talk.

WASHINGTON, June 10.—Continuing his policy of adding nothing in the way of



UNCLE SAM TO MIKADO—SAY, MY FRIEND, WOULDN'T IT BE A GOOD IDEA TO LET THOSE TWO CRITTERS FIGHT IT OUT?

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