

EASTERLY FALLS IN WELL LAID TRAP

Contradicts Himself on Vital Point.

DAMAGE DONE HAYWOOD CASE

Knw Orchard Had Designs on Steunenberg.

GAVE NO WARNING OF CRIME

Another Important Witness for Defense Caught in Falschold—Copley Confirms Orchard's Story About Bradley Explosion.

BOISE, Idaho, June 28.—(Special.)—In the Haywood case the testimony today was devoted very largely to the theory of a mineowner's conspiracy...

Another Thomas Wood, brought forward what may prove to be the foundation for a new theory about the Vindicator explosion. He testified he was working on the eighth level of the mine and left a half box of powder standing near the shaft...

The suggested theory is that the two men took the powder up with them; that the pistol dropped from Beck's pocket, that it was fired off and exploded the powder. While that theory is attenuated, there seems no other object in introducing this testimony. Mr. Wood was a non-union man.

Easterly's Veracity Wrecked. The day was a good one for the State, while it is difficult to see if the defense made really anything out of it. Again a star witness of the defense was literally skinned, his hide being hung on the fence so beautifully that even his friends had to admire the job. This was Bill Easterly, the man who had taken the stand the night before and who completed his testimony at the opening. When Senator Borah got hold of him, he put Easterly through an experience in a few minutes that caused him to squirm and his face to blanch. He stuck to his story of having heard Orchard threaten the dead Governor, but he went far over the line, leaving himself open to attack in a manner that was made to serve the purpose of the State in showing his unreliability.

In response to Mr. Borah's questions, he admitted that he knew Orchard was in Caldwell under an assumed name, and he knew Simpkins had visited Orchard there. He was certain about the threat made by Orchard, and was satisfied he meant it. When Mr. Borah asked him if he had warned any of the officers that there was danger of a crime being committed, he declared he had not. Afterwards, when pressed on the same point, he proudly stated he was not an informer.

Contradicts Himself Flatly.

In answer to Mr. Borah's questions, Easterly said he told John Nugent about Orchard's threat about February 20. It was after Orchard's confession, he said, Mr. Borah clinched the thing hard by drawing from the witness the declaration that he had told of the threat because of the charges lodged against the Federation officers by Orchard. He seemed especially proud of having done Orchard that good turn and he wished it known that he had thus exposed him after he had made his charges against the officials of the organization. In his demeanor and in his language he was emphatic. Borah obliged him practically to admit that he would not have informed against Orchard under other circumstances, making it perfectly plain that he had told Nugent because of the charges made by Orchard in his confession.

When Mr. Borah had finished with the witness, Mr. Darrow took him on in a leading question which put the witness on guard. He asked Easterly if he had not told Nugent immediately after hearing of the murder, which was committed on December 30. Easterly caught the idea at once and testified as glibly that he had made the statement to Mr. Nugent some time before January 10, five weeks before Orchard confessed. To make his case worse, Easterly thought he had not testified he had told Mr. Nugent after the confession of Orchard.

Finds Himself in Net.

He saw the net in which he was caught and his face turned pale as he waited for one question after another that fixed him as a member of the Ananias Club

of the trial. It was most astounding. This man, who professed to remember things that had been said years before and to tell of many occurrences from the past with the confidence of accuracy, actually pleaded he did not know he had testified five minutes before entirely differently from the manner in which he wished to testify after Mr. Darrow had given him the pointer.

When it is recalled that Easterly is one of the star witnesses, one of those whom Orchard connected with so much devilry in Colorado and who came here to confront him, the importance of this routing of him on the stand will be apparent. He and "Big Bill" Davis were mentioned in Orchard's narrative as frequently as any others, excepting the principals in the case. Both boldly came here to prove that he testified falsely and the smashing of both of them is of the greatest value to the case of the state.

Motive for Killing Gregory. There was another important witness—important for the admissions he made. This was W. D. Copley, a former member of the executive board of the Federation.



Premier Clemenceau, of France, whose policy is sustained after fierce attack by Socialists.

This man, though a very enthusiastic union supporter, was never in the murder secrets of the inner circle and, because of the fact that the circle could not trust him, he was dropped in 1904. Mr. Copley told a good story of the Colorado troubles, but made some admissions of very great value. Under cross-examination, when asked about his arrest on a charge of blowing up a transformer house at Idaho Springs, he had occasion to speak of Lyte Gregory and stated that the latter was a detective in the employ of the mineowners there. Richardson inspected a suggestion that he was a witness merely, but Mr. Copley did not modify his statement.

This bears out the story told by Orchard. When Gregory went to Denver, Pettibone told Orchard about him, saying he had been acting as mineowner's detective at Idaho Springs, and the Federation wanted him killed. Mr. Darrow, in his opening statement, declared the Federation had nothing against Gregory. He made that declaration with great emphasis, and yet Mr. Copley sustained Orchard as to the employment of the man as a detective.

Confirms Orchard's Story.

Again, when Mr. Borah had failed to get from Copley an admission that he knew Orchard blew up P. W. Bradley, Mr. Darrow took him in hand on re-direct examination and drew from him almost what Mr. Borah was seeking. Mr. Copley saw Orchard in San Francisco at that time and Orchard talked to him about Mr. Bradley, saying at the same time that Steunenberg would get what Mr. Bradley had received. When Mr. Darrow resumed direct examination, he asked:

"You did not secure an impression from what Orchard had said that he had something to do with the Bradley explosion?"

STILL RELY ON HERCULES MINE

Defense Lawyers Try to Prove Orchard's Vengeful Motive.

BOISE, Idaho, June 28.—The attorneys for William D. Haywood continue to center their efforts on the discrediting of Harry Orchard and the establishment of their claim that Orchard killed Frank Steunenberg in revenge for the loss of his interest in the Hercules mine. Today they directly attacked the Vindicator explosion with the testimony of a witness that made it appear accidental rather than criminal.

Thomas Wood, a non-unionist, who entered the Vindicator mine as a timberman after the strike began, swore that the night before the explosion he placed a box containing 25 pounds of giant powder at the shaft on the eighth level. He saw the powder the next morning shortly after 10 o'clock, and a few minutes later Superintendent McCormick and Foreman Beck came to the eighth level. They remained but a short time, and left to go to the sixth level, where they were killed. Mr. Wood swore that, when he reached the shaft 20 minutes later, the powder was gone, and it is a reasonable inference that McCormick and Beck took it with them.

No Wire to Start Explosion.

Mr. Wood testified that he had seen a revolver in Beck's pocket, that the fragments of only one revolver were found on the sixth level, and that the bodies of McCormick and Beck were

(Concluded on Page 3.)

IOWA GOVERNOR FOR THIRD TERM

Says Roosevelt Must Run Again.

WILL BE FORCED TO ACCEPT

Only Man to Carry Out Great Reforms.

CUMMINS' EYES ON SENATE

Says Issue Next National Campaign Is to Be Regulation of Interstate Commerce—Hopes That Tariff Will Not Cut Any Figure.

MINNEAPOLIS, Minn., June 28.—(Special.)—Governor A. B. Cummins, of Iowa, in an interview here today said: "Theodore Roosevelt ought to, and I believe he will, be a candidate to succeed himself as President."

One thing the Iowa executive betted for all time was the persistent report that he would be a candidate for the nomination as President on the Republican ticket at the next National convention.

"You may say for me that I positively am not and shall not be a candidate." Asked if he would be a candidate for the United States Senate to succeed Allison, Governor Cummins virtually acknowledged the fact. "People down our way say it is a conceded fact," he said, significantly. Of Roosevelt, Governor Cummins said: "Roosevelt's Duty to Accept."

"I have said before that I believed President Roosevelt should succeed himself, and I now will say for the first time that I believe he is the one man to carry out the great reforms he has inaugurated. I know he is sincere in his decision not to again accept, but I prophesy that the public demand from all sections of the Nation will be so strong that he will be made to see that it is his duty to serve the people for another four years. There is nothing in the idea that he should not accept because of the old-fogy idea that a man must quit when he has served two terms, and if there was, he could still take another term, for he will not have served two complete terms when his present term expires."

Paramount Issue in 1908.

Asked as to what would be the great political issue for the campaign of 1908, the Governor said: "The paramount issue, I apprehend, will be the fair and proper regulation of interstate commerce. I have great hopes that tariff revision will not be a political issue. It would seem likely that the platform adopted at the next National Republican convention will contain a plank going unequivocally on record in favor of a changing of the tariff schedules as they now exist. With our great party pledged to this principle, the decks are cleared for the next great problem."

Favors Direct Election.

MADISON, Wis., June 28.—The Assembly today by a vote of 69 to 3 passed

ECHO ELECTION CHARGES

Indictments Returned Against Members Policyholders' Committee.

NEW YORK, June 28.—Indictments charging conspiracy and forgery against George R. Scruggam, manager of the international policyholders' committee, and Charles F. Stirrup, an employe and one of those in the conspiracy against Charles Harrington, another employe, were returned today by the county grand jury. The charges grew out of the recent election of trustees of the New York Life Insurance Company.

Scruggam is charged with forging the name of Josephine E. Wright to a ballot which the policyholder failed to fill out. Scruggam is also accused of having erased the name of George W. Guthrie from a proxy and substituting the names of the international policyholders' committee.

A third allegation is that Stirrup and Scruggam supplied fictitious names as witnesses to proxies. Stirrup is charged with supplying the name Margaret Kelly as a witness on the proxy of Samuel Pfeiffer. It is alleged that the proxy had not been properly witnessed and that the name of Margaret Kelly was fictitious. The conspiracy indictment asserts that 400 legally defective ballots were counted as legal.

RECEIVER FOR MUTUAL LIFE

Chicago Company Is Defunct and the State Takes Up the Case.

CHICAGO, June 28.—On the application of Fred W. Potter, State Superintendent of Insurance, Judge Honore today appointed a receiver for the Marquette Mutual Life Insurance Company of Chicago. The company is said to have outstanding policies amounting to \$1,180,540, and its financial responsibility by the State Superintendent of Insurance is considered to be so slight that its continuation in business is a menace to the public and policyholders.

BECHTOL GIVEN FIVE YEARS

Insurance President Goes to Prison for Robbing Company.

MINNEAPOLIS, June 28.—W. F. Bechtol, ex-president of the Northwestern National Life Insurance Company, was today sentenced to state's prison for five years. He is convicted of grand larceny from the company.

COAL FAMINE THREATENS

Snake River Towns Cannot Get Cars to Haul It.

BUTTE, Mont., June 28.—A special to the Miner from Elkhart, Idaho, says: "A most serious coal famine is threatening the entire Snake River Valley. For over a month there has not been a pound of coal shipped into Blackfoot for commercial use. During the winter months the mineowners and the railroads urged the storing of coal in the summer and, although the dealers have made extensive preparations for the storage of coal, their orders are turned down upon the ground that it is impossible to get cars."

Francis Murphy Failing Great Temperance Advocate Hovers on Death's Brink.

LOS ANGELES, June 28.—Francis Murphy is today hovering between life and death, but with the exception of increasing weakness his condition shows little change from yesterday. None of his four sons has yet arrived, although all are expected by tomorrow.

COURT RESPECTS WEALTH NOR AGE

Landis Ignores Plea for Rockefeller.

HE MUST ANSWER SUMMONS

Deaf to Trust Lawyer's Touching Word Picture.

MUST HAVE INFORMATION

All Excuses for Standard Oil King's Not Testifying Brushed Aside—J. Rockefeller Not Found—Rogers Is Sojourning in Europe.

CHICAGO, June 28.—(Special.)—Of fear of compromise if the serving of subpoenas on John D. Rockefeller, H. H. Rogers and other officials would be stayed, were ruthlessly spurned by Judge Landis in the Standard Oil case today, when John S. Miller appeared before him. Notwithstanding the touching picture drawn by the attorney of an aged, feeble, wealth-worn trust president, Judge Landis not only refused to interfere in the serving of the subpoenas in New York tomorrow, but "rubbed it in" by asking three more subpoenas for the following persons: F. Q. Barstow, Vice-President of the Standard Oil Company of New Jersey; H. R. Payne, Vice-President in charge of records of the Union Tank Line Company; W. M. Hutchinson, Secretary and Treasurer of the Union Tank Line Company.

Wealth Makes No Difference.

Mr. Miller intimated that several of the officials subpoenaed might not be able to give out the required information. "They will be given a chance to decline in court," said Judge Landis. "But, your honor," hastily added Mr. Miller, "President Rockefeller is a very wealthy man."

"Wealth makes no difference in this case. He will be treated exactly as if he were a poor man." Mr. Miller interposed other objections. "I decline absolutely to interfere," said the Judge. "I cannot interfere with the execution of processes in this case." "All this is sensationalism on the part of the District Attorney's office," said Mr. Miller. "I do not call getting information sensationalism," retorted the court. "The District Attorney's office is acting just as it would in any other case."

Rockefeller to Know.

Mr. Miller then went into considerable detail as to the undesirability of serving Mr. Rockefeller, but his arguments availed nothing. He said he would furnish other men better qualified to give the financial resources and holdings of the companies than those for whom subpoenas had been issued. He said Mr. Rockefeller had so little to do with the business that it would be useless to bring him to Chicago to testify.

"It is inconceivable that the president

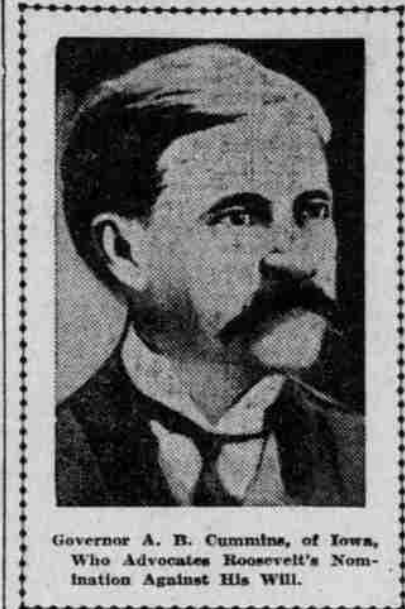
of one company does not know whether it owns another company or not," said Judge Landis. "I want to know whether the Standard Oil Company of New Jersey owns the Standard Oil Company of Indiana, the defendant in this case. I want this information, and all that I have asked for I intend to have if such a thing is possible."

"I want Mr. Rockefeller here to learn that one thing from him and the other things that he may be able to tell."

May Decline to Answer. Mr. Miller intimated that witnesses might decline to answer, by advice of counsel.

"The court cannot assume," said Judge Landis, "that such an attitude will be taken and I cannot give them an opportunity to decline through counsel in advance. If they see fit not to answer my questions, they will be given the chance to decline in open court. The subpoenas will be served and I will not interfere with the service of them."

W. P. Cowan, vice-president of the Standard Oil Company of Indiana, and G.



Governor A. B. Cummins, of Iowa, who advocates Roosevelt's nomination against his will.

BEGINS SERVING SUBPENAS

Marshal Can't Reach Rogers, and Rockefeller Is Absent.

NEW YORK, June 28.—Subpenas requiring the presence of John D. Rockefeller, president of the Standard Oil Company, William Rockefeller, H. H. Rogers, John D. Archbold and a number of other officers of the Standard Oil Company to testify as witnesses before the Federal Court in Chicago on July 6, were received by United States Marshal Hendrick today. Mr. Hendrick was unable to serve subpoenas upon Mr. Rogers and W. H. Tilford, treasurer of the company, as they are in Europe.

John D. Rockefeller, William Rockefeller and Charles M. Pratt were out of the city, and Mr. Hendrick expected that a day or two would be required to find them. The Marshal personally served the subpoenas upon John D. Archbold, vice-president of the Standard Oil Company, William T. Howe, Charles T. White, James A. Moffett, president of the Standard Oil Company of Indiana, and upon M. E. Felton of the Union Tank Line Company.

Auto Garage Is Burned.

SAN JOSE, Cal., June 28.—An automobile garage owned by Osen & Hunter, located in the heart of the city, was completely destroyed by fire last night. The loss is estimated at about \$5,000.

CONTENTS TODAY'S PAPER

- The Weather. YESTERDAY'S—Maximum temperature, 64 degrees; minimum, 55. TODAY'S—Fair and warmer; northwest winds. Foreign. French Chamber sustains Clemenceau's suppression of revolt. Page 3. Choate takes leading part in Hague Conference. Page 4. Revival of terrorism in Russia. Page 2. National. Taft denies stories of discontent among canal officials. Page 3. Spokane rate case may result in general reduction in West. Page 1. Judge Landis insists on Rockefeller's appearance in court. Page 1. Politics. Governor Cummins proposes nomination of Roosevelt against his will. Page 1. Domestic. Argument in trial of Judge Loving. Page 3. Hill's Buckskin deal falls and he returns road to old company. Page 2. Harriman says he will not retire till he dies. Page 2. Colonel Tucker, formerly of Portland, accused by wife of misconduct with other women. Page 2. Many St. Paul men accused of great brokerage frauds. Page 2. Sport. Harvard wins freshman's Yale wins varsity eight-oared race. Page 7. Pacific Coast. Easterly makes poor witness for defense in Haywood trial. Page 1. Decisions in San Francisco grant indictments postponed for a week. Page 3. Congressman Jones will be candidate for Senator. Page 6. Gray's Harbor towns want joint rate on wheat. Page 6. Railroad Commissioner West plays detective on cattle train. Page 6. Commercial and Marine. Growth of English hop crop checked. Page 17. Wheat continues strong at Chicago. Page 17. Sharp rise in call-money at New York. General trade in first half of year better than in 1906. Page 17. F. W. Leadbetter sails for London to join representative of Sultan. Page 16. Portland and Vicinity. American flag insulted by Industrial Workers of the World. Page 10. Nine divorces granted in Circuit Court. Page 11. George R. Russell, once a famous French wrestler, is in city jail for immoral conduct. United States Attorney Bristol will consult Secretary Garfield regarding land-fraud cases. Page 11.

GENERAL CUT IN WESTERN RATES

Probable Result of Spokane's Fight.

WILL NOT FAVOR FALLS CITY

Utter Failure to Prove Claim to Terminal Rate.

TEAL AND COTTON CLASH

O. R. & N. Accused of Piling Up Surplus Which Should Go Into the Branch Lines—Commission Will Decide Next Winter.

OREGONIAN NEWS BUREAU, Washington, June 28.—If the Interstate Commerce Commission does not dismiss the complaint of Spokane and decline to order a reduction of freight rates on commodities billed to Spokane from Eastern points, it will order a general investigation into the freight rates throughout the Northwest and West with a view to determining the advisability of making sweeping reductions in rates to all points remote from water transportation. There appears to be no likelihood that the Commission will grant the appeal of Spokane and give that city the benefit of a specially reduced rate to the detriment of all other interior points both east and west of Spokane.

Fail to Prove Spokane's Case.

This opinion is generally expressed after the conclusion of the argument in the Spokane case before the Interstate Commerce Commission today, for it is agreed that Spokane utterly failed to demonstrate that it, more than any other city, is entitled to a special rate 30 per cent lower than it now pays. The evidence produced in the Spokane case is not ample to enable the Commission to order a general reduction through the West, and it is therefore fair to assume that the Commission would make extensive examination before ordering any general reduction in rates.

The probabilities are that Spokane's complaint will be dismissed, for it has become quite evident that the Commission realizes that the terminal rate to Portland and Puget Sound is due entirely to water competition. Spokane not only failed to combat the water competition feature, but practically ignored it and asked for a reduction as though the Coast cities, like Spokane, were entirely dependent upon railroads for transportation. Their failure to produce reasons which would justify the Commission in ignoring water competition is one weakness of their case. Another weakness is their selfish request for a special rate that would give them an unquestioned advantage over all other interior points in the West.

Spokane Already Favored.

W. W. Cotton, representing the Harriman lines, stated to the Commission today that Spokane, which is situated on a crisscrossed mainline, is actually favored as against neighboring cities. Its rates from the East on the 44 commodities stipulated in its complaint are below the rates charged to Boise, Ogden, Butte and Missoula, all of which have a shorter haul than Spokane. Mr. Cotton also declared that the commodities on whose rates Spokane's complaint is based contribute but 15 per cent of the total traffic of his line, and that the rates on these very commodities are today 33 per cent lower than the average rate per ton per mile on his road. Mr. Cotton declared that Brooks Adams' idea is not Government ownership, but private ownership and Government responsibility. He attacked other features of Mr. Adams' theory with equal force as did L. C. Gillman, representing the Great Northern.

Oregon's Undeveloped Interior.

J. N. Teal had little opportunity to make a showing for Portland as intervenor, for he had to divide his hour with Seth Mann of San Francisco. He however took a fall out of Mr. Harriman for his failure to construct branch lines through Oregon, notwithstanding the fact that the O. R. & N. has now accumulated "by extortion" a surplus of \$3,000,000 instead of building up the territory properly tributary to this road. He charged that part of the surplus had been used in a fight to prevent the North-Bank road from entering Portland, while another large amount was being expended to extend its line to Seattle, which is foreign territory. Mr. Teal declared that there is 40,000 square miles in Oregon, much of which could be opened if the O. R. & N. would expend its present surplus in the construction of new roads.

"Not Worth Scrapping Over."

Mr. Cotton, in reply, said his company was obliged to hold its surplus, which had accumulated in years of exceptional prosperity, for it felt that traffic was bound to fall off after the existing period of prosperity ends, and the surplus may be needed to tide over years of stringency. As for the advisability of constructing new roads, he went to the map, waving his pointer over that vast territory lying east of the Cascade Mountains in both Oregon and Washington and said that the territory at the present time was not "worth scrapping over." He admitted that a time might come when his road would look

(Concluded on Page 2.)

