



BROWN FELL VICTIM TO FEDERATION

Accuses Miners' Organization With Dying Breath.

HE DETECTED HARRY ORCHARD

Had Captured Adams and Collected Much Evidence.

WAS SHADOWED FOR YEAR

Torn to Pieces in Same Manner as Steunenberg.

RECEIVED MANY THREATS

Knowing He Was Shadowed and Was Doomed to Die, He Was Preparing to Leave Baker When the Bomb Exploded.

BAKER CITY, Or., Oct. 1.—(Special)—Harvey K. Brown passed quietly away at St. Elizabeth's Hospital, in this city, at 2:30 o'clock this afternoon, from wounds caused by the explosion of a bomb as he entered the gate to his home last night. Death came after several hours of intense agony. When the grim reaper called him to his long home, there were present with him his mother, his two sisters, Mrs. M. H. Osborn and Mrs. B. W. Landreth; his 15-year-old daughter Ethel; his pastor, Rev. Jacob Finger, and many of his intimate friends.

Mr. Brown regained consciousness this morning and was in full possession of all his faculties until within a few minutes of his death. He suffered intense pain all the time, but bore it bravely, and did not once complain that his life had been cut short while he was in the prime of his manhood. He was cheerful and talked quite freely with his friends, telling them not to worry about him, for he was all right and was ready to meet his God. He did and said all he could to cheer those around him and told his daughter to be a brave, a true and upright woman.

Told Church to Fight.

His wife was so overcome with the shock of the tragedy and the knowledge that death was rapidly approaching that she could not remain in the room with him and was taken away and cared for by kind friends. His pastor, Rev. Jacob Finger, was the last one to talk with Mr. Brown, who told his minister that the church here had been fighting a good fight; that they had run a good race.

"Yes," Mr. Finger said, "and we intend to keep on fighting."

"That is right," Brown said, "that is right." He then seemed to sink into a gentle sleep, from which he never awakened.

Mr. Brown was an active church worker and a trustee of the Methodist church. He had deep convictions and did not hesitate to live up to his teachings and beliefs to the best of his knowledge. He was interested in the welfare of the young people, and while Sheriff was active in protecting them from the allurements of evil that are always being held out to them. He had lived a faithful Christian life and died with that peace which passeth all understanding in his heart. He bore no malice toward anyone, not even the persons who perpetrated such a dastardly outrage upon him and upon this city. He shook hands with his political enemies and had only the best wishes for everybody, even those who were his avowed enemies.

Gloom Over Whole City.

There is deep gloom over Baker City today as the result of the taking off of one of her best citizens in such a cowardly and brutal way. There is hardly a man, woman or child in this city who did not know of his efforts to make Baker City a respectable and peaceful city.

Arrangements have already been completed for the funeral, which will be held Thursday afternoon at 2 o'clock from the Methodist Church. This will no doubt be the largest service of its kind ever conducted in this city, and there will be hundreds in the line of mourners.

Holds Federation to Blame.

After regaining consciousness this morning Mr. Brown related quite well and seemed to be regaining strength. He did not bleed very much last night and it was hoped that he would recover from his wounds. The shock, however, was more than his strong constitution could endure and finally he succumbed to the inevitable. Shortly before noon he ex-

CRIMES ATTRIBUTED TO THE WESTERN FEDERATION OF MINERS.

1892—First Bunker Hill & Sullivan mill at Wardner, Idaho, partly wrecked by dynamite.

1892—Numerous non-union men and minor officials driven from the Coeur d'Alene district, causing United States troops to occupy the district.

CRIMES CONFESSED BY HARRY ORCHARD.

April 29, 1899—Blew up second Bunker Hill & Sullivan mill, in the Coeur d'Alene, killing two men.

November, 1900—Blew up Vindicator mine, Cripple Creek, Colo., killing Superintendent McCormick and Foreman Beck.

December, 1900—Made bombs for use of another man in blowing up soldiers.

Spring of 1904—Lay in wait to kill Governor Peabody, of Colorado, for three weeks, but blundered and abandoned attempt.

Spring of 1904—Shot Deputy Sheriff Lyle Gregory dead at Denver.

July 4, 1904—Blew up Independence depot, in Colorado, killing 14 non-union miners and wounding many others.

November, 1904—Attempted to kill David H. Moffat, in San Francisco with poison; finally blew him up with bomb, horribly mangling, but not killing him.

December 30, 1905—Blew up ex-Governor Frank Steunenberg of Idaho, at Caldwell, with bomb.

MEN ORCHARD TRIED TO KILL.

Chief Justice William Henry Gabbert, of Colorado Supreme Court.

Governor James H. Peabody, of Colorado.

Frank Hearn, president of Colorado Fuel & Iron Company (since dead).

David H. Moffat, president of First National Bank of Denver and president of Denver, Northwestern & Pacific Railroad.

Sherman Bell, Adjutant-General of Colorado.

Luther M. Goddard, Associate Justice, Colorado Supreme Court.

1906—John Irving, ex-Chief of Police of Roseland, B. C., blown up in powder-house of Center Star mine.

Irving had incurred the hostility of the Federation during his term of office by close vigilance during strikes in 1900 and 1902.

1907—Ex-Sheriff Harvey K. Brown, blown up by bomb at his front gate in Baker City, Or. Brown had incurred the enmity of the Federation by arrest of Steve Adams and search for John Irving. He was to have been an important witness in the Pettibone trial.

pressed a desire to make a statement before he should die and District Attorney Lomax was summoned to take the statement to use in the prosecution of his slayers, should they ever be run to earth.

Mr. Brown said that he had been connected with the Orchard case and had done considerable work for the State of Idaho in ferreting out the slayers of ex-Governor Steunenberg. He was in Southern Idaho at the time Orchard was arrested and was one of the men who identified the man who has confessed to having shot the arrested Steve Adams in his uncle's ranch near Baker City and took him to Idaho, where he is now awaiting trial for the murder of Fred Tyler and his companion. He has done considerable detective work on the Adams case and it was his opinion that the Western Federation of Miners was backed.

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GIVES POINTERS TO TAFT MANAGER

Vorys Tells Roosevelt His Troubles.

UP AGAINST A COMBINATION

Taft Forces in New England Find Rivals United.

LODGE AND CRANE LEADERS

Two Senators Marshal Armies for Taft and Knox—Ohio Man's Chances Good in New England Except the Bay State.

WASHINGTON, Oct. 1.—(Special)—Reports from Ohio are to the effect that Arthur I. Vorys, insurance commissioner for the state and National manager of the Taft campaign, met President Roosevelt on his special train last night and unfolded to him the difficulties in the way of the Taft boom. This is confirmatory of numerous "squalls" which have reached Washington from the Columbus headquarters of the Taft movement previous to the departure of the President for the West.

The manner in which the Taft campaign is being run has not been pleasing to the Taft men in Washington, among whom are the President, and it is believed here the President met Mr. Vorys last night by appointment to give him a few pointers.

The Taft men have found the greater part of New England tied up by the friends of all other candidates, who have combined against them.

BATTLE ON IN NEW ENGLAND

Lodge Champions Taft, Crane Booms Knox.

OREGONIAN NEWS BUREAU, Washington, Oct. 1.—Two Republican Presidential candidates are fighting for the New England delegates to the next Republican National Convention, Secretary Taft and Senator Knox. That is to say, political friends of these two candidates are outlining campaigns to capture the delegates. And curiously enough, the contest is being managed by the two Senators from Massachusetts. Senator Lodge, close friend of the President, will undertake to swing New England for Mr. Taft; Senator Crane has taken off his coat and will try to checkmate Mr. Lodge and bring New England into line for the Pennsylvania Senator. The fact that Mr. Crane and Mr. Lodge are the opposing leaders is ample to insure a

MOVE TO ACQUIT SENATOR BORAH

Defense Denies His Guilt Is Proved.

EVIDENCE IS CIRCUMSTANTIAL

Prosecution Says the Scheme Reeked With Fraud.

BORAH MUST HAVE KNOWN

Judge Whitson Will Decide Fate of Motion Today—Charges Against Ruick Dismissed and Two Accusers Are Indicted.



Count Ferdinand von Zeppelin, Who Successfully Navigated His Dirigible Airship for Seven Hours.

BOISE, Idaho, Oct. 1.—Federal Judge Edward Whitson, presiding at the trial of United States Senator Borah, will decide tomorrow morning, at 10 o'clock, whether or not the case shall be taken from the jury and a verdict of acquittal ordered by the court. At the conclusion of the Government's case today, the defendant entered a motion for acquittal on the ground that no evidence tending to connect Mr. Borah with a land fraud conspiracy had been adduced.

The motion was argued at length by Special Prosecutors Rush and Burch and by James H. Hawley for the defense. Mr. Borah's counsel waived the opening argument on the motion, and Mr. Hawley declared he would not have spoken at all had it not seemed to him that the Government's counsel had either intentionally or unwittingly misinterpreted much of the testimony before the court. The jury was not present during the argument.

Acted With Conspirators.

Mr. Rush, in opening the argument for the Government, said that there had certainly been tangible evidence of a conspiracy on the part of a few persons at least, and in this view Judge Whitson said he concluded. The evidence against Mr. Borah was circumstantial, Mr. Rush admitted, but tended to show that the defendant acted in concert with the other alleged conspirators to the extent at least of receiving in his office the deeds resulting from fraud and having these deeds recorded at his request. This act of the defendant, Mr. Rush asserted, placed him in the light of one who received stolen property and required an explanation.

Mr. Burch also urged that there were enough suspicious circumstances to put the defendant upon his answer, and argued that an attorney had no privilege above the ordinary citizen of the United States. The whole scheme of securing the land, Mr. Burch declared, reeked with fraud, which the defendant as an

TAFT DISPELS THE WAR-CLOUD

His Speech Banishes All Unfriendliness.

BLAMES THE YELLOW PAPERS

Says They Are Responsible for War Talk.

CAUSE DOES NOT EXIST

Can Find No Reason Why Japan and the United States Should Fight and Designates War as a Crime and Insanity.

TOKIO, Oct. 1.—Secretary Taft cheered the wildest enthusiasm and loud cheers when, in the course of his speech at the banquet given in his honor by the municipality of Tokio and Chamber of Commerce, he declared that war between the United States and Japan would be "a crime against modern civilization and as wicked as it would be insane," adding that neither people desired it, and that both governments would do their utmost to guard against such an awful catastrophe. The Secretary spoke with intense earnestness after careful deliberation and preparation.

The banquet took place in the assembly room of the Imperial Hotel, Viscount Shimi Busawa presiding, and was attended by prominent citizens and many of the leading business men of Tokio. Secretary Taft sat on the right of Count Shimi Busawa, and Mr. O'Brien, the new American Ambassador to Japan, was seated on his left. The decorations of the hall were magnificent, and a good band furnished the music. Among those present were many ladies, including Americans. Viscount Shimi Busawa, in welcoming Mr. Taft, paid a glowing tribute to the greatness of the nation which the Secretary represented, the friendliness which the United States had always displayed for Japan and the influence which America exerted throughout the world.

Taft Speaks Very Earnestly.

In replying, Mr. Taft spoke with deep feeling and positiveness. He asserted that the talk of unfriendliness between the United States and Japan was due entirely to the commercialism of the newspapers in America. The Secretary declined to discuss the immigration question, saying that he would not trespass upon the field of the State Department. Mr. O'Brien would say that the entire matter was "easy of sensible arrangement between sensible men." Continuing, Mr. Taft said:

"Americans will always be proud of the part President Roosevelt was able to play in hastening the end of the war, bringing about peace under circumstances honorable to both Japan and Russia. Japan, having proved her greatness in war, has taken a stand in the first rank of the family of nations. You have concluded a treaty with your former antagonists, and the wounds caused by the war are healed.

"The growth of Japan from a hermit nation to her present position in the last 50 years is a marvel to the world. Americans are proud to record the fact that Japan has always had the cordial sympathy and at times the effective aid of the United States. For a moment—for a moment only—a little cloud came over the sunshine of the fast friendship of 50 years.

War Would Be Insane.

"Only the greatest earthquake in centuries could cause even the slightest tremor between such friends. I do not intend to consider the details of the events at San Francisco; I cannot trespass on the jurisdiction of the Department of State. It is for my colleague, Mr. Root, or my friend, Mr. O'Brien, to discuss this matter. I say that there is nothing in those events that can not be honorably and fully arranged, by ordinary diplomatic methods between the two governments, conducted as they both are by statesmen of honor, sanity and justice. War between Japan and the United States would be a crime against modern civilization. It would be insane. Neither the people of Japan nor the people of the United States desire war. The governments of the two countries would strain every point to avoid such an awful catastrophe. Neither would gain anything.

"Japan has undertaken, with the legitimate interests of so close a neighbor, to reform and rejuvenate the kingdom that is governed or misgoverned by 15th century methods. His Majesty, the Emperor, has shown his appreciation of the difficult task by sending to Corea Japan's greatest statesman. No matter what reports may be, no matter what criticisms may be uttered, the world will have confidence that Prince Ito and the Japanese government are pursuing a policy in Corea which will make for justice, civilization and the welfare of a backward people.

Japan Does Not Want Philippines.

"Why should Japan wish for war? It must stop or seriously interfere with the execution of her plans for reform of Corea.

"Why should the United States wish for war? It would change her in a year or more into a military nation. Her necessary by the people."

(Concluded on Page 2.)

DEFENSE DENIES HIS GUILT IS PROVED

Attorney Must Have Had Knowledge of Whether the Government Had Presented a Strong Case, He Concluded, Was Not the Question, but the Court Should Inquire Only if There Were Facts Tending to Establish a Theory of Possible Guilt.

MUST PROVE HIM GUILTY

Mr. Hawley, replying, charged opposing counsel with an entire misapprehension of the law. He said they were proceeding on the theory that a defendant must prove himself innocent rather than that the Government should prove him guilty. Every presumption in the evidence must be in favor of the defendant. Every act of Mr. Borah's to which the evidence had alluded was shown to be open and above board and in pursuance of honesty of purpose. Every step taken by the defendant was the proper action of an attorney protecting the interests of his client, and was susceptible of no other interpretation.

Mr. Hawley said that the evidence of the Government's own witnesses was to the effect that Mr. Borah always announced that he was acting as attorney for his clients, the Barber Lumber Company, from securing claims tainted by fraud.

At the conclusion of the argument, Judge Whitson announced that he would take the matter under advisement and render his decision tomorrow morning.

The last day of the prosecution began with the introduction of evidence to show that the defendant, in his capacity as attorney for the Barber Lumber Company, had many deeds to timber land recorded in the office of the County Clerk in this city. The attorneys for the defense announced yesterday that this could in no way connect Mr. Borah with any criminal conspiracy, and that they were ready to concede the fact without any testimony whatever. The Government attorneys declined to accept the offer.

Need Not Incriminate Himself.

Judge Whitson then announced his decision as to the witness, L. G. Chapman, general manager of the Barber Lumber Company, who yesterday refused to produce certain records on the ground that they might tend to incriminate him.

"There is a tendency nowadays," said Judge Whitson, "to wipe out constitutional guarantees, but it is a movement I have no sympathy with. It may be that the constitution is wrong and that a criminal should be compelled to testify against himself, but so long as the constitution is what it is, I intend to uphold it. The contention of the witnesses is sustained."

Mr. Chapman once before was upheld by the Federal courts in refusing to produce the books.

Ex-Governor John T. Morrison, of Idaho, was a witness today. He said Mr. Borah came to him while Governor and made inquiry as to certain timber lands the state expected to claim in a specified section. He wanted to know if the state could not select its lands elsewhere or reduce the amount it expected to claim. Mr. Morrison was not cross-examined.

GRAND JURY CLEARS RUICK

Also Indicts Two of District Attorney's Accusers.

BOISE, Idaho, Oct. 1.—The Borah trial was interrupted for a time today to allow the special grand jury, which has been investigating charges of misconduct against District Attorney Ruick, to report. The grand jury declared the charges were "not a true bill," and returned indictments against two of the men who filed affidavits against Mr. Ruick.

In connection with its inquiry the grand jury has had before it an affidavit made by George Y. Wallace, Jr., of Salt Lake City. Mr. Wallace swore that he met Fred Miller, of Spokane, one of the Federation attorneys, in Salt Lake last April and that Mr. Miller declared the miners' organization had spent \$30,000 of its defense fund up to that time—a month before the trial. Mr. Wallace, it is stated, also said that Miller told him \$15,000 of this amount was spent in securing the indictment of Senator Borah.

Mr. Miller was called before the grand jury today and it is said denied the story in all its details, saying he had made no such assertion at any time or place and that any such assertion would have been false.

John F. Nugent, of this city, another Federation attorney, was also a witness before the grand jury, and it is understood that he said he had never even heard of such a story.

FEMALE BALLOT CORRUPT

DR. MATTHEWS, OF SEATTLE, SAYS "GOD HELP COUNTRY."

Declares That Woman's Suffrage Would Bring More Corruption and Rascality Than Ever

SEATTLE, Wash., Oct. 1.—(Special).—In a sensational interview here today Dr. M. A. Matthews, the best known minister in this city, denounced woman's suffrage as follows:

"God help this country if its women are ever granted the unrestricted ballot. Such a concession would result in more political corruption and rascality than we have ever seen before.

"Let the women remain in the sphere that God Almighty intended they should occupy and they will continue to bless the world with their sweetest and goodness. But let them join the men in a scramble for political preferment and they will become a curse to the world instead of a blessing.

"The corrupt among the women, the disgruntled old maids and graduates from the divorce court are all demanding the suffrage. I will not say, however, that all women suffragists are corrupt but I do assert that all corrupt women are demanding the ballot, while, thank God, many of the purest and sweetest and noblest American women hold modestly aloof from it.

"The fact that negroes and foreigners vote furnishes no argument for the cause advocated by the leaders of the movement. Voting is not an inherent right. It is a privilege conferred by the laws of the land. A white man is not born with a right to the franchise. It is given him under certain conditions made necessary by the people."

