

FIRST HAYWOOD SPEECH ENDS

ATTORNEY HAWLEY HITS HARD FOR THE PROSECUTION.

Brings the Steuenberg Murder Home to Haywood—States He Made an Attack on Organized Labor—Analyzes Testimony to Prove Orchard Was Truthful.

Notes, Idaho, July 20.—Denouncing the present leaders of the Western Federation of Miners as a band of criminals who had deflected the organization from the honest purposes for which it was formed originally until it had sunk to a level of sinister violence, opposed to every possible conception of American ideals of decency and justice, Attorney James H. Hawley concluded his argument before the jury in the Haywood murder trial late this afternoon, after speaking for nearly eight hours.

The veteran prosecutor disclaimed all intention upon the part of the State to make war on honest organized labor. He declared that he and every other thoughtful man in Idaho approved the work of labor organizations when it was conducted upon fair and legitimate lines. He asserted with vehemence that the Western Federation of Miners had been perverted beyond all possible doubt to have forfeited the consideration of every respectable American citizen and that unless it purged itself of the leaders who had brought to its present low estate it must be fought from one retreat to another until it had been obliterated.

The leaders who had so subverted the principles of the Federation as to make it merely an engine of destruction and of violence, Mr. Hawley said, were Haywood, Moyer, Pettibone, Simpkins and their intimates, and he declared that the evidence taken in this case showed conclusively that these men had conspired for the commission of more than twenty murders in the pursuit of their policy, concluding with the assassination of ex-Gov. Frank Steuenberg.

In its way, it was an able argument. Mr. Hawley has few of the graces of the orator, but he has a logical mind and he understands the sort of jury to whom he was talking to-day. He reviewed the main features of the evidence taken in the case, went over the testimony for the defense point by point and maintained that Orchard had no possible personal motive for a single one of the crimes which he has testified Haywood, Moyer and Pettibone hired him to commit, and that the only persons who could possibly have had a motive for the commission of all these crimes were the persons who actually stood accused of inspiring them.

In his denunciation of the leadership and spirit of the Western Federation the veteran was at his best. He demanded to know why Jack Simpkins, the executive board member of the organization, had fled when accused, why he had not remained in hiding if he were innocent, and called attention to the fact that this man, accused of murder and now in hiding from the officers of the law, had since his flight been twice reelected to the high office that he held in the federation.

Haywood listened with his customary imperturbability to this denunciation of himself and his associates. At this elbow sat the ruffled wife in her ivory hair. On her other side sat Haywood's two daughters. The court room was crowded as was yesterday, and Gov. Gooding and Detective McFarland were again present.

In the course of the morning session there was a hot colloquy between Hawley and Darrow, in which each of them called the other a liar, and the jury, presided over by Judge Wood, cut the controversy short. It was the only interruption of consequence to which the prosecutor was subjected in the course of his argument. Tomorrow morning Lawyer Richardson will make the opening argument for the defense. He will certainly talk all day and perhaps worse to-morrow.

Great stress has been laid by the defense on the contention that the alleged attempt to wreck a train on the Rio Grande and Cripple Creek roads was nothing but a job put up by D. C. Scott and K. C. Sterling, who are detectives, at the instigation of the mine owners, so that the blame might be laid on the latter. None of the evidence, however, has been introduced to bear out this statement.

Mr. Hawley resumed his arguments this morning by putting contention out of business by quoting the testimony of both Scott and Orchard to prove that Scott told Orchard when the latter went, as he swore, to warn him of an attempt to wreck a train, that as a matter of fact the attempt had been made the night before.

The prosecution put forward the toughest task that remained for the State when the evidence was all in. This was the explanation of the testimony of two women who saw Orchard in the rooming house at Cripple Creek, who swore they saw Orchard in Sterling's room in their house several times not long before the independence station explosion. The inference the defense makes is that Orchard and Sterling were then plotting to destroy the independence station, again in the interest of the mine owners and in pursuance of their general plan of perpetrating acts of violence that would perhaps be attributed to the Western federation.

Mr. Hawley laid stress on the fact that the women who testified did not know Orchard at the time they said they saw him and that they never knew who he was until the time came when the defense stood off the testimony of the two women. He declared that this testimony was one of the most important in the case, and he said the testimony showed that Orchard rendered no services to the railroad in return for this money, whereas he became the faithful and murderous servant of the federation.

The attempts on Gov. Peabody's life had come up for consideration. "The Governor," said Mr. Hawley, "was then the best hated man the federation knew of. So they told Orchard to bump him off. He went back to Cripple Creek to Steve Adams. He got him and the two came to Denver and started in to watch the Governor with the sawed off shotguns. You can remember that thrilling story of Adams' death about the time when he and Adams stood by a carriage door ready to shoot Peabody when he got out and when they had opened three ladies alighted in the carriage. Peabody was one of the ladies. She has told you that Orchard's story is true."

"Now where is there any evidence to indicate that Harry Orchard and Steve Adams had any ill will against the Governor or any motive in murdering him? As you gentlemen are reasonable men, what would be the object of their going to Adams' house and having in mind an attempt on this man's life? Who was it that would profit by the Governor's death? Who would have been benefited by Gov. Peabody's removal and the substitution of another man in his place? The Western Federation of Miners, William D. Haywood, secretary, and Charles H. Moyer, president.

"This story were false words of all persons could demonstrate its falsity? Steve Adams, who is confined below and who has brought here so that the defense might use him as a witness if it desired. Steve Adams."

"Your Honor," cried Darrow, "that statement is absolutely false and counsel knows it."

"It is absolutely true," shouted Hawley turning in rage upon the counsel for the defense. "I am counsel for the defense is perfectly aware of it."

"I object to any such statement about Adams," cried Darrow white with rage.

"Objection overruled," said Judge Wood. "Counsel will talk his seat."

Darrow, "to make false statements of this character before this jury?"

"The Court will in due time," replied Judge Wood shortly, "instruct the jury that the counsel are not to be taken as evidence."

"Well, at any rate," pursued Hawley, "Steve Adams is below here, and has been ever since this case got under way; and I ask you if this incident I have been speaking of were false why wasn't Adams called to swear to its truth upon the witness stand?"

Darrow swallowed the question and Hawley proceeded to take up the independence station explosion, which he presented as evidence probably the most inhuman of all the crimes testified to by Orchard. This outrage, the defense has contended, was arranged by the mine owners to discredit the federation.

Darrow so stated in his opening argument that testimony would be offered showing that the killing of fourteen men was a necessary incident in the prosecution of this effect has been introduced, and Mr. Hawley contended that this fact alone should discredit the defense's contention about this line. Moreover, the explosion was pulled off exactly at the hour when the platform was unusually crowded with non-union men and when the train they were waiting for was just coming around the curve less than half a mile away.

C. W. Allen came in for a broadside then. He is the man who swore he saw Orchard, Scott and Sterling in Cripple Creek three weeks before the independence explosion. Allen is now in jail here on a charge of perjury in making this very statement and in denying it. Mrs. Ida Baker put Allen's testimony out of commission for both of them swore that Scott was in Denver at the time Allen testified about. Of course the jury did not believe that Allen had been arrested for perjury, but Hawley could declare him a "willful perjurer," which he did at the top of his voice.

Of course the jury did not believe that the roses fall. One by one these witnesses develop before your very eyes as full fledged perjurers. It was so with W. F. Davis, a high ranking member of the Western Federation and so with Thomas Wood and so with this man Allen.

The dogs hopped up again at this time. They were the bloodhounds brought to the independence station after the explosion. They got the scent from the chair-rung that was used as a lever by the men who set off the bomb. They ran twice to Al Bestman's cabin and they ran a mile or two in another direction.

Mr. Hawley called attention to this inconsistency on the part of the pups, and also to the fact that a big crowd had run to the scene of the disaster, and that the chair-rung must have been handled by several if not many persons long before the dogs got there. It was very strange that Bestman, who was a deputy sheriff, had handled the chair-rung.

Again the prosecutor hit the Steve Adams keynote. He referred to the fact that Orchard swore he and Adams blew up the independence station for the federation leaders and again he demanded why if Orchard had led the defense did not put Adams on the witness stand to deny it.

Pat Moran was next added to the gallery of perjurers. He is the man Orchard said went to Denver to get \$500 from Pettibone for him to carry out the "job" of "doing it" and rubbed it in by saying that he was not in Denver for six months around that time. This was rather bad judgment on Pat's part, Mr. Hawley thought, for a man who knew Moran well and used to work with him swore to seeing him in Denver at just the time Orchard spoke of and just when Moran said he was there.

Then Hawley passed on to San Francisco. That letter, that registered letter, mark you, that Pettibone sent to San Francisco containing money, Orchard said was sent in the name of J. Wolf and J. Wolf comes and tells you he sent it and saw Pettibone put in a Masonic charm and miner's working card. Then comes the handwriting expert and swears that the application for a register was made out in the handwriting of Pettibone, and the two telegrams by which money was sent to Orchard in San Francisco ostensibly by P. Bowen were applied for in Pettibone's own hand also.

Counsel for the defense stated that he would like to see you that Orchard had the money Orchard left with Pettibone, who out of the kindness of his heart acted as banker and gave it to him whenever he needed it, but not a scintilla of evidence, as you know, has been introduced to bear out this statement.

Mr. Hawley reverted to Orchard's doing it in that he had no independent evidence given on this phase of the case is perhaps in its completeness the most extraordinary of all. Scarcely an item of evidence that Orchard gave regarding his doings around the Bradley residence is even disputed by the defense, with the exception of his declaration that he twice tried to kill Bradley. None of the significance of these things was overlooked by the prosecutor as he talked to the jury-men.

In the opening of the afternoon session Hawley took up once more his series of "half hours with the best perjurers." This time Dr. Magee was the subject of his remarks. He said that Dr. Magee was appointed to the Court of General Sessions, and also to rearrange the assignments of the Magistrates to the various courts. The reassignments are made necessary by the establishment of the night court, which is soon to be put into operation.

There are indications of a lively time over the election of a president, and it was reported yesterday that there was a possibility of another Republican being elected as head of the board. Neither the McClellan men nor the Murphy men constitute a majority of the board as it now stands. The board is shy one member, but even when Judge Whitman's successor is appointed neither of the factions will have a controlling vote.

Magistrates Crane, Cornell and Barlow were appointed by Mayor Low, will continue to hold the balance of power. At the present time there are fifteen members of the board and it will take five votes to elect a president to-morrow. There are only seven McClellan men, Butts, Breen, Corrigan, Droege, Harris, House and Kernehan, the five Republican being elected. Moss, Steiner, Wahle and Walsh, combine with the Low appointees they will be able to organize the board.

There was talk yesterday that this would be done and that the choice of candidates lay between Moss and Barlow. Moss is a great friend of Charles Murphy. Barlow may be selected as a compromise president.

pute them. Now why was this high officer of the federation here on this murderous errand? Why did he return after he had once gone away? It could have been for only one reason.

"So it goes on until the holiday season arrives. Orchard plants the bomb by the Governor's gate and blows the Governor into eternity. That was an act that shocked the civilized world. There was the first citizen of Idaho, retired years ago to private life, killed in this cowardly manner in the presence of his family."

"And gentlemen," continued Hawley, "this man was killed by Harry Orchard, with the assistance of Jack Simpkins, and he went on, shaking his fist at the inscrutable Haywood, not to get away, but to this horrid crime was done at the instigation of William D. Haywood, Charles Moyer and George Pettibone."

Mr. Hawley took of Billy Eater's testimony that Orchard had written to ask him to join before the murder to come and help him on a certain job and argued that when he had written to Steuenberg's murder he must have known it was Orchard and yet he told nobody. He proceeded:

"This shows the board that unites these leaders and ex-leader of the federation, a bond that was so strong as to prevent this man from giving the authorities the slightest help in bringing to justice the man whom he knew to be the best willed murderer of the foremost citizen of this State."

Mr. Hawley made a strong point of the fact that Jack Simpkins was fugitive from justice and declared that the guilty knowledge he had of the murder of Steuenberg must in the very nature of things have been shared by Moyer and Haywood since he was in Denver only a fortnight before the murder and only a week or two before that had been in the city helping Orchard in his murderous plans.

"And this man," he cried, "who by flight has almost confessed his guilt, has been retained in high office by the Western Federation of Miners for two successive elections since he disappeared, and shame be to the federation for that."

The prosecution insisted entirely of the map the defense's theory that Orchard blamed Steuenberg for driving him out of the Cour d'Alenes and so forcing him to sell his interest in the Hercules mine. Reviewing the evidence which proves indisputably that Orchard sold absolutely and outright his interest in this mine over a year before he was driven out of the Cour d'Alenes.

Hawley brushed aside the various witnesses who said they heard Orchard threaten Steuenberg with the aid of the men who were either federation sympathizers or so nearly strangers to Orchard as to make it most unlikely that he would tell them he intended to commit murder.

"But it was necessary," he said "for the defense to give Orchard a motive for killing Steuenberg. It is an absurdity. He got his money from the very nature of the assistance of Jack Simpkins, a high federation leader, and I take it these threats appear absolutely unworthy of your further consideration."

"You have been told that no member of the federation ever ascended the scaffold and that none is now serving a sentence for crime. It is time a change came about. It is time the stench of this organization's crimes should be done away with. It is time that these people be shown that there is a law about us all. It is time that the leaders of the Western Federation of Miners be shown that we are a law abiding and God fearing people."

"And all we ask of you in any way is to remember your oaths and we shall be satisfied with whatever verdict you may bring. All we want is justice for the people. If we get that counsel for the State will be content."

"We shall doubtless be accused of warring on labor. That we will not do. We believe in honest organized labor, but the Western Federation cannot be classed with those honestly organized. It is this way of immigration that lands hundreds and thousands, partly criminals and partly fellows that don't know what liberty means and don't care; don't know our customs and cannot speak the English language and are the scum of Europe mostly."

"Why this immigration is allowed on the east coast and not on the west coast seems to be and I guess you all know is simply a question of votes."

"The solution of the problem is to prohibit immigration, and when we come to executing immigration laws it is found to be practically impossible to deport people under the laws."

"The failure of the Grand Jury of Queens county to indict that man Becker for the outrage on that little girl at Elmhurst has made people of his stamp bolder. The failure to indict excites great surprise over here and I don't understand it myself."

In reply to a question as to more police the Commissioner replied:

"Why, there is nothing to say about that. It seems to me to be wiser to wait until along in September, when the city fathers are nearer home and have begun to consider the budget. What the newspapers tell now will be forgotten by the end of September."

WOULD CURB IMMIGRATION

GEN. BINGHAM SPEAKS FRANKLY ABOUT CRIME HERE.

Foreigners, the Scum of Europe, Largely Responsible for Assaults Upon Women and Children—Why Can't East Coast Be Kept Free of Them as Well as West Coast?

Commissioner Bingham has been much worked up for the past week over the great number of cases of assaults on women and little girls. Several delegations have called on him from various suburban sections and the General has each day given long talks to the newspaper men on conditions in the outlying sections and the need of more policemen. After going over much that he had said before the Commissioner said yesterday:

"There is another very important thing about this crime business. I don't want to say anything that would be indiscreet, but unquestionably the enormous hordes of immigrants that are coming here have a good deal to do with crimes against women and children. You will notice that these particular crimes are done by foreigners and not by American citizens, but by fellows who can't talk the English language. It is this way of immigration that lands hundreds and thousands, partly criminals and partly fellows that don't know what liberty means and don't care; don't know our customs and cannot speak the English language and are the scum of Europe mostly."

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"Why, there is nothing to say about that. It seems to me to be wiser to wait until along in September, when the city fathers are nearer home and have begun to consider the budget. What the newspapers tell now will be forgotten by the end of September."

"I have been talking about the need of more police for a year and a half. Nobody realizes as much as I how badly more policemen are needed. I made a careful calculation of the entire situation last spring, giving the population of precincts and the shortage of men. I first figured out that we needed 2,000 extra men, but finally cut down my figures to 2,000. I don't think there is any special objection to getting more policemen except the necessary expense, and I'm sure the taxpayers won't mind that if they get better protection, particularly those who live in the outlying sections."

"There are any possibility of the Mayor calling a special meeting of the Board of Estimate?" he was asked.

"That I don't know. It is a serious question, and I have been saying so for a year and a half. It is hard for me to do any more than I have already done. I have just finished what I consider a strong argument in favor of more police."

Mr. O'Keefe, my Brooklyn deputy, carries around in his pocket a book showing every precinct in Brooklyn as Queens, Richmond, population, etc., and has a memorandum for each precinct, telling the number of men that are short and how many are needed. Yet Brooklyn has had 200 men only since the first of January; fifty new policemen went to Staten Island, 100 went to The Bronx and 150 were kept in Manhattan."

While at a picnic in Cypress Hills Park, near the Fresh Pond road, Glendale, L. I., late Friday afternoon Elsie Schneider, 10 years old, of 718 Knickerbocker avenue, and Henrietta Brooks, 11 years old, of 247 1/2 Schaeffer street, both of Brooklyn, were set upon in a patch of woods by two young men. While the Brooks girl fought off her assailant and escaped back to the picnic park the Schneider girl suffered brutal treatment before help arrived. When the police arrived the two boys were found in such a condition that an ambulance was summoned from St. Mary's Hospital, Brooklyn, and the child received medical attention from Dr. Crawford before she could be removed to her home.

ACRITELLI RELIEVES HIMSELF

On Immigration and Crime and the Shortcomings of Gen. Bingham.

Coroner Acritelli apparently didn't like the published remarks of Commissioner Bingham on immigration in connection with the recent crimes against women and children in the city. As soon as he read the statement of the Police Commissioner he sent a hurry call for reporters by telephone from his Bath Beach home. He spoke, he got no reason to make the assertion representing the foreign population of New York, which he thought should make reply to Gen. Bingham's statements. He said:

"The statements by Gen. Bingham to-day were confessions of his utter incapacity for his position. After he has obtained all the laws he wanted—even the increase of salary, whether it was needed or not—he says he is unable to cope with the growing evil of crimes against children. It is a confession of utter inability and stupidity."

"He has no reason to make the assertion that reflects on the foreigners of the city and connect them with these crimes, for he has not a scintilla of evidence sufficient to indict any one for them."

The Coroner did not seem to be able to stop talking about the shortcomings of Gen. Bingham after he got going, nor did he pause long enough to inform the listening reporters who appointed him to speak for the "foreigners" in this city. He scribbled his name to call the Italian Coroner's attention to the fact that there were plenty of well behaved foreigners of other races than his that gave the police no trouble at all to speak of. He gave his opinion unsolicited on the attempt to have the Schramek girl identify her assailant from the pictures in the Rogues Gallery and spoke of it as the "grossest assinity."

"If immigration of the Coroner holds it has made the country. He said that from personal knowledge gained in study of several immigration committees he knew that the restrictive laws were just, equitable and well enforced. He declared generally that he had no spite against Gen. Bingham, but as a representative of the "foreigners" of the city he felt "insulted in the Police Commissioner's nonsensical tirade."

DISTRIBUTION OF IMMIGRANTS.

Labor Leaders Fear They Will Be Used for Strike Breaking Purposes.

WASHINGTON, July 20.—Certain labor leaders, judging from reports received here, are somewhat exercised over the efforts now making by the Government to divert, through the division of information, the stream of immigration toward States and localities where settlers are most needed. They fear that such labor will take the place of local labor or be used for strike breaking purposes in case of emergency.

Terence V. Powderly, chief of the division of information, and former grand master workman of the Knights of Labor, declared to-day that the division had been created to properly distribute immigrants in the United States. He said that information bearing on economic conditions was now being received from every State and Territory in the Union. As a result the Government would be able to distribute intelligently immigrants admitted to the United States and supply to States and cities, as requisitions were made, labor needed in such places. There was no intention, he declared, to induce the Government to embark in the strike breaking business.

SAVED BY WOMEN FROM MOB.

Four of Them Rescue a Wife Beater From Men Seeking a Rope.

WILKESBARRE, Pa., July 20.—Four young women this morning saved Charles Jomboski of Hudson, near here, from being handily roughly, if not from being lynched, by the mob. He was in jail. He had been abusing his wife for some time, and the neighbors were so aroused over his brutality that there were frequent threats of lynching him.

This morning the woman was heard screaming for help and several men ran to her aid. She was lying on the floor apparently dead. Jomboski fled, but was captured, and while some men held him others started for a rope, declaring they would string him up.

Four stout young Slavish women went to his rescue, thrust the men away from him and rushed him toward a street car, where he was arrested by a constable. Later his name was given as Charles Jomboski. His wife was up and conscious but soon recovered.

KIESTER'S BODY FOUND.

The Manager of E. H. Harriman's Store at Southfield, N. Y., a Suicide.

TRIXICO PARK, July 20.—The body of John W. Kiester, postmaster and manager of E. H. Harriman's store at Southfield, N. Y., was found this afternoon in the bushes about 300 yards from Kiester's residence. Kiester had shot himself and the body had lain in the bushes since his disappearance on the night of June 27.

Lord & Taylor Silk Department

Clearing Sale

Prior to Stock Inventory we are now closing out many broken lines and odd pieces of Silks

At greatly reduced prices.

Namely: 98c, 62 1/2c, 58c, 50c and 25c a yard.

Dress Goods Department

5,000 yards Irish White Linen Suitings, 36 inches wide, also Tan color, 30 inches,

Special at 25c a yard. Value 40c. a yard.

Closing out Remnants COLORED LINEN SUITINGS for skirts and dresses

at 25c a yd.

Also Remnants French Challis and Dress Goods at 38c yd.

ALL GREATLY REDUCED.

WASH GOODS DEPARTMENT

Special July Clearing Sale before stock taking of

Imported and Domestic Washable Dress Fabrics

at Half Price to Close Out.

Special Sale of White and Colored Dress Lengths and Remnants

at Greatly Reduced Prices.

Household Linens

Values that cannot be duplicated.

Table Cloths and Napkins, odd lots and broken lines, at reductions that mean a saving of 1-3 and in some cases 1/2 less than former prices.

TOWELS

500 dozen Hemstitched Huck, with Damask borders, splendid assortment of patterns.

dozen \$3.00 Value \$4.50.

Turkish Bath Towels

Extra fine quality, 25c Value 37 1/2c.

Linen Sheets

Pure linen, durable, and will give excellent wear.

\$4.50 and \$5.00 pair, instead of \$6.50 and \$7.50.

Women's Silk Stockings

An extensive array of colors to match the new linen gowns and footwear, also Black and White Hose in exquisite and dainty styles, openwork, self-embroidered and combinations that are truly artistic.

At Popular Prices.

Openwork Silk Hose

in black, white, tan, pink, sky, Nile, red and some unusual shades.

at \$1.25 per pair, value \$2.00

Lisle Thread and Cotton Hose

Plain Black, White and Tan Lisle Hose, Openwork Instep Lisle: in black, white and tan, Plain Black Cotton in a variety of weights and some embroidered styles,

35c per pair, 3 pairs for \$1.00

Infants', Youths' and Misses' Socks

in a range of sizes to fit the infant, youth or maiden. These are in silk, lisle or cotton, plain and fancy styles, comprising striped and plaid effects,

from 25c upward

Special Values in BELTS

Linen Belts, hand embroidered, pearl buckles, sizes 24 to 30, \$1.00 Value \$2.00 to \$3.00.

Linen Belts, hand embroidered, pearl buckles, 24 to 30 in. Value \$1.00 50c

Silk Elastic Belts, gilt buckle, back and front, all colors, \$1.00 Value \$1.50.

Sale of Men's Neglige Shirts

made of fine grade of Woven and Printed Fabrics in light and dark grounds, large variety of patterns. Cuffs attached, various sleeve lengths.

\$1.00 Value \$1.50.

Ercadway and 20th St.; 5th Av.; 19th St.