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## ORCHARD BREAKS DOWN.

Witness Weeps Under Severe Examination By Heywood's Lawyers.

BOISE, June 13.—After withstanding with marvelous strength of nerve and muscle a week's examination that was one prolonged confession of crime, Harry Orchard today broke down and for a few moments wept like a child. His unnerving came with the story of his conversion and confession, and the mention of King David as a murderer, the Biblical figure which is supposed to be Orchard's later guide.

The defense had given solemn tone to the scene preceding the meeting between Orchard and Detective McPartland to whom he confessed, by showing that Orchard was first illegally brought to the penitentiary and thrust into almost solitary confinement. His only cell neighbor was Bob Wetter, a condemned murderer. Then came the first McPartland interview and the story of David and Uriah. Orchard faltered and tried to hold back his tears but he lost the struggle. The tears streamed from his eyes, and reaching for his handkerchief he buried his face in his hands. The questions went on mercilessly as before, but it was a full three minutes before the answers were coming in the old sure tones. The defense, carrying the confession forward, tried to show that McPartland had played a disreputable part in the Molly Maguires, and that he had promised Orchard immunity.

The earlier part of the examination as to the Steunenberg crime was largely devoted to an effort that Orchard had purposely been public in his actions at Caldwell and had sought to draw attention to himself and his crime.

Orchard testified that he promised McPartland if Steve Adams was arrested and put in the same cell with him he would try to get him to make a confession. In the course of his testimony Orchard said:

"It had always been the talk among Heywood, Moyer and the members of the W. F. and M. that if any one coughed up anything about the federation it wouldn't be good for them."

Hawley asked to be allowed to take up one question of the direct examination, and said he desired to postpone the re-direct examination until the defense had laid the foundation for the impeachment. Hawley took up the planting of the bomb at Judge Goddard's gate. The bomb itself was produced and identified by Orchard. The defense declined to cross-examine.

The cross-examination of Harry Orchard was concluded at 2:30 p. m. He has been on the stand for nine days, and under cross-examination for twenty-eight hours. Richardson announced that he desired later to lay a foundation for impeachment.

Richardson announced that he had between 150 and 200 witnesses to call for the defense. He said the impeachment examination would not take more than thirty minutes.

## Pension Frauds Detected.

WASHINGTON, June 13.—The most extensive and successful scheme for swindling the pension bureau that has come to light is set forth in an appeal filed in the supreme court by the government from the decision of a lower court against its efforts to recover losses it has sustained.

The pensions of widows who remarry are supposed to stop as soon as the ceremony has been performed but William A. Munson, pension attorney of Providence, R. I., who handled the pension checks of the numerous clients, failed to notify the pension bureau of the remarriage of one of them in 1884, and for thirteen years drew her pension himself by forging her endorsement on the checks. As others of his clients married or died he added them to his private list by forging their signatures, until in 1897, when his crime was discovered, they numbered nineteen, and he had drawn something like \$20,000 from the federal treasury by forgeries.

Finally the forgery was traced to Munson, whose operations were shown to be so extensive that a general investigation was made of the entire district of which Boston is the center. Fourteen inspectors were engaged for weeks verifying each name on the invalid pension roll of the district, and, in addition to uncovering Munson's operations, they discovered that 115 widows who had remarried were still drawing their pensions, apparently unconscious that their actions were illegal, notwithstanding they each received a printed notice to that effect on the document which accompanied the checks each month.

Munson was tried and convicted and

died while serving his sentence. The government then set about recovering from the banks that cashed the checks the money lost through Munson's operations and in this way the case has reached the supreme court.

## Carter Opposes Coal Land Leases.

WASHINGTON, June 13.—Senator Carter had a conference with the president Tuesday, and among other things discussed the coming public lands convention at Denver June 18-20. While the senator declined to discuss the details of the conference, yet he said, when it was suggested that the interior department was sending a strong delegation of officials to present its side of the case to the convention: "I am willing to say that I have indicated to the officials that any effort to direct the convention would be pretty certain to result in friction and a most uncomfortable situation."

Senator Carter's tone was suggestive of the conclusion that he had, in effect, served notice that the government people will have to keep their hands off. Beyond this the senator spoke with a good deal of vigor about the proposal to lease the coal, under the public lands, for mining. "We think," he said, "that any revenues raised in this way should go to the states, not to the federal treasury. We pay our share of government taxes, of tariff duties and internal revenue burdens, as do other people; we object to having our fuel supply taxed for the benefit of the national treasury."

This statement is taken as highly significant, because Secretary Garfield is pretty well known to favor leasing the mining rights separate from the surface of the land and selling or leasing the surface separately. This involves payment of coal-lease fees to the federal government.

## A Rat Killing Festival.

ST. LOUIS, June 13.—Saturday night has been set as the date for a rat killing festival in St. Louis. All over the city will be waged one of the most extraordinary wars on record. It will be the war of the people versus the rodents. There will be no quarter, no flags of truce—it will be a war of extermination.

The call to arms is now being sounded throughout attics and cellars and alleys, and even front parlors, in every part of the city. And by Saturday night it is expected that there will be an army of 100,000 persons ready for the fray.

Dr. John G. Harper has been promoting the project. He has set the date, asked the mayor to further give official sanction to the day and is sending out hundreds of letters daily to persons in all parts of the city. He has received many replies that citizens will join the fray.

The newspapers have devoted columns to urging the war against rats. It is optional with citizens whether they poison the rats, catch them in traps or club them. Next Sunday morning is expected to dawn upon a victorious people, counting dead rats.

## Mayor Schmitz Convicted.

SAN FRANCISCO, June 13.—A jury of 12 of his peers has declared Mayor Eugene E. Schmitz guilty of the crime of extortion charged against him by the Oliver grand jury.

The jury was out just 1 hour and 35 minutes. They elected Charles E. Capp foreman and at once proceeded to an informal ballot. This was cast verbally and stood 11 for conviction and one for acquittal. Juror Burns, a shoemaker, cast the dissenting vote.

Then the 12 men began a discussion of the evidence, which lasted for nearly an hour. At the end of this time the first formal ballot was cast. It was a written ballot and unanimous for conviction.

The jurymen issued a statement to the Associated Press immediately after their dismissal by the court, saying:

"In justice to Juror Burns, it should be acknowledged that he did not vote for acquittal because he was dissatisfied with the evidence or believed there was any doubt of the defendant's guilt. Two forms of verdict were given to the jury and the consecutive reading of these momentarily confused Mr. Burns. As soon as he understood the matter, he cast his vote with the other 11 and the verdict was accomplished."

## ORCHARD STORY CONFIRMED

Witnesses Corroborate Evidence Given By Confessed Murderer.

BOISE, June 14.—The prosecution in the Steunenberg murder trial today entered in earnest upon the substantiation and corroboration of Harry Orchard's testimony, shown in the continuous thread of evidence connecting George Pettibone's store in Denver with Orchard at San Francisco, engaged on the Bradley murder plot, partly developed another direct line by which it is hoped to show that Heywood engaged and paid Steve Adams for the same desperate work, and added several touches of confirmation to Orchard's general story.

Officials at the United States post-office at San Francisco and Denver produced final records showing that, in August, 1904, a registered letter was sent under the name of "J. Wolf" from the address of Pettibone's store in Denver to "J. Dempsey" at the Golden West hotel, in San Francisco. Orchard swore that he stayed at the Golden West under an alias that was either "Dempsey" or "Hogan"; that Pettibone used the aliases of "Wolf" and "Pat Bone," and that under the name of "Wolf," Pettibone had sent him a registered letter containing \$100 to pay his expenses while engaged in the Bradley murder.

Police officials of Ogden established the arrest there in June, 1903, of Steve Adams and A. T. Williams. They were sealed up in an eastbound car loaded with fruit and when arrested for trespass, each had a brace of revolvers. When released by a detective they went straight to the Western Union and sent a message to Heywood at Denver. The defense headed off an attempt to get the contents of the telegram before the jury, but they indicated that they would return to the charge later and further develop the incident when it has broadened its foundation.

The state, through an official of the Western Union produced the original of a telegram supposed to have been sent to Attorney Fred Miller, of Spokane, and now recorded as one of Heywood's counsel, by Harry Orchard, after the latter was arrested at Caldwell for the Steunenberg murder, but did not introduce it because its identification is still insufficient. The state also got an order from the court directing the Western Union to produce its records to show that Heywood sent money to Adams at Ogden.

When the Ogden testimony was introduced Steve Adams was brought in to court under guard to be identified. Adams' name has run all through the trial but this was his first appearance in person. Adams seemed in a defiant humor and walked to a point directly in front of the jury and gazed steadily at the witness confronting him.

Besides its work on the Pettibone-Orchard and Heywood-Adams lines, the state produced several witnesses who confirmed features of Orchard's story as to the Bradley affair, the first descent into the Vindicator mine, with the object of doing violence, the final success of the Vindicator plot, and the circumstances under which Detective Lyte Gregory was killed.

## Too Many Banquets For Taft.

ST. PAUL, June 14.—It looked for a time tonight as if the banquet which was given at the Auditorium tonight in honor of Secretary of War Taft would not be graced by the presence of the secretary, who was taken suddenly ill while reviewing the troops at Fort Snelling shortly after noon.

The banquet was to commence at 6 o'clock, but it was not until 7:45 that the secretary reached the banquet hall. Looking somewhat pale, but his face wreathed in smiles, the secretary strode down the long line of banquet-ers, and the 2,000 seated at the tables and as many more who occupied seats in the balconies, rose to their feet and cheered lustily.

To the Associated Press the secretary stated he was feeling much better and that his attack was merely a severe attack of indigestion which was brought on by the series of banquets which had been given him since he left Washington on his western trip.

## Implicates Prominent Citizens.

CHICAGO, June 14.—A dispatch to The Tribune from Peoria, Ill., says: Under promise of immunity from further prosecution and of a pardon from the Joliet penitentiary by Governor Deneen, Eddie Tate, the "gentleman burglar," last night, for the first time, admitted that he helped to blow the school board safe and stole \$6,000 pieces of forged scrip being held as evidence against the former superintendent of schools, Newton C. Dougherty. Tate said he robbed the safe

on the night of January 6 and he was assisted by Eddie Fay and Patsy Flaherty. He says \$4,800 was paid the three men by a prominent Peorian representing Dougherty.

Tate explained in detail to the grand jury today how the affair was planned by Dougherty and his friends and how it was carried out. Until he was given absolute assurance that he had a chance for freedom he denied that he was implicated, but insisted that he knew who did the work. States' Attorney Scholes is confident that sufficient corroborative evidence can be produced to warrant indictments against one and perhaps more of the wealthy Peorians who now are suspected of having had a hand in the deal.

## Court Orders in Conflict.

KANSAS CITY, June 14.—Upon application of Attorney General Herbert Hadley, Judge Parks in the circuit court here this morning issued orders on the representatives here of the eighteen railroads in Missouri, compelling them to obey the 2-cent passenger rate and the maximum freight rate bills which went into effect at midnight last night.

When the case of the railroads was called before Judge McPherson today he ordered it postponed until tomorrow morning. The court said that in meantime his order of yesterday, restraining the state officials from enforcing the acts in question, would continue in effect. Thus the circuit court and the United States district court here are brought into direct conflict.

In the afternoon before Judge McPherson the matter of jurisdiction was argued. The railroad attorneys contended that the order of the United States district court restraining the state officials from enforcing the acts, takes precedence over today's order of the circuit courts both in Kansas City and St. Louis. They contend that this is so both because of the fact that the order of Federal Judge McPherson was issued first and because it was still in effect when the orders of the circuit court were issued.

## A Fish Story From Missouri.

KANSAS CITY, June 14.—A large quantity of small, silver-colored fish, which closely resembled mountain trout, fell from the sky at Independence, a Kansas City suburb, this afternoon. Although a few of the fish fell in all parts of the town, the fall was heaviest over the public square. So many of the fish fell there that the catch-basins were clogged, and the water backed up and covered the sidewalks. Nearly everybody in Independence who wished it, had fish for dinner this evening. It is estimated that the total quantity of fish which fell was about two tons. They covered the whole square, and when carried by the running water to the catch-basins piled up on the iron nettings to the depth of a foot. Some of the little fish were alive and swam around briskly, but a great quantity of them had been killed by the fall.

## Schmitz Retains Office.

SAN FRANCISCO, June 14.—Mayor Schmitz, convicted by a jury last night of the crime of extortion, asked Judge Dunne today to release him on bail until sentence is pronounced Thursday. The request was neither granted nor denied; but the court intimated that the mayor, like any other convicted criminal, should be locked up in jail. Formal application for bail was then made by Schmitz' attorney, Mr. Campbell. Judge Dunne denied the application and directed that Schmitz be taken to jail.

According to a statement made today by Acting District Attorney Honey, Eugene E. Schmitz, being convicted, becomes mayor in name only. Although unable to perform the duties of his office under the laws of California, Schmitz, it is said, still retains the office.

A few years ago a law was placed on the statute books of the state that a convicted person could not be ousted from office until such conviction had been upheld by a higher court. As cases move slowly on appeal, it is considered likely that the higher court will not pass upon this matter until the mayor's term of office has passed.

Under the circumstances, the supervisors have no power to oust him, but must select someone of their number to act as mayor during Schmitz' disability. As chairman of the finance committee of the board, Gallagher would become acting mayor, leaving the government practically in the hands of the prosecutors, who while they may not be empowered to install new officers, may succeed in effecting extensive reforms in the civil government.

## HEYWOOD SENT MONEY.

Prosecution Produces Drafts That Confirm Orchard's Testimony.

BOISE, June 15.—In support of the case against William D. Heywood, charged with the murder of Frank Steunenberg, the state submitted to the jury today the testimony of an even dozen witnesses tending to confirm several details of the story of Harry Orchard, and at adjournment announced that it would close its case next week.

Among today's witnesses were former Governor Peabody and his daughter, Miss Cora Peabody, but neither was on the stand very long. It was anticipated that the defense would extensively cross-examine Governor Peabody and open the entire contention involved in the Colorado labor war, but a conference of the united counsel for the defense decided that it would be better tactics to refrain from doing so.

Against a fire of objections and motions to strike out and along a record paragraphed with exceptions by the defense to the rulings of Judge Wood, the prosecution succeeded in securing the admission of much evidence bearing on points of Orchard's tale. First there was a showing that Steve Adams, stranded in Ogden in June, 1903, on the way home from California, where, it is alleged, he went to kill Bradley, sent a telegram to Heywood at Denver for money. Next it showed by the originals of six drafts on New York banks, five of which were purchased at the First National bank of Denver by Heywood himself; that during 1904, 1905 and 1906 money was frequently remitted by Heywood to T. J. Simpkins, former member of the executive board of the Western Federation of Miners, who as "Simmons" came to Caldwell with Harry Orchard and assisted in the first attempt to kill Steunenberg.

The last draft, sent in January, after the murder, was cashed by Mrs. Simpkins, presumably after Simpkins had died. After that came the production of the shattered and twisted fragments of the device by which the Vindicator bomb was set off, and this led to an extended inquiry by the defense into conditions and events centering about Cripple Creek during the strike and martial law days.

Next the state completed the legal history of the Peabody bomb, first by showing that it was dug out of the ice in the Coeur d'Alene river, then that it was brought to Boise and taken on to Denver, and lastly by identifying its casting in court by the plumber who made it. The Peabody family was present during the testimony and watched the bomb every moment that it was displayed before the witness stand.

Then the state once more took up the general thread of Orchard's story and successively offered the testimony of Miss Peabody to the incident related by Orchard where he and Steve Adams followed the Peabody carriage home, the evidence of Governor Peabody that he had seen Orchard in Canon City and that he had repaired to his house, as Orchard testified, testimony showing that at various times in 1905 Heywood, Pettibone and Orchard were seen together, a general confirmation by William Vaughn of the trip that Orchard and Vaughn made to Canon City, and, lastly, proof that Steve Adams was at Pocatello in September, presumably to meet and throw "Pettibone dope" at a carload of non-union miners.

## President's Traveling Expenses.

WASHINGTON, June 15.—Eight thousand dollars is the sum President Roosevelt has expended the last eleven months on his trips about the country. Congress authorized the expenditure of \$25,000 a year by the president for travel. This appropriation became available last July.

When the presidential trips were made at the expense of the railroads sumptuous special trains were provided along with a luxurious larder.

Since the president has been paying his own way special trains and special schedules have been abandoned, the presidential car being attached to a regular train.

## Prison Will Cost Millions.

NEW YORK, June 15.—The city has accepted from a jury of architects a design for a new \$4,000,000 penitentiary on Riker's island. The successful architects are Trowbridge & Livingston. The plans call for a penitentiary wherein may be confined the New York short-term prisoners. The prison will be a model of its kind and one of the largest in the world.

There are to be 2,000 cells in the

building. Among the new features will be a powerful searchlight by which when an "escape" is sounded, the whole island and river may be illuminated.

## NO POLITICS IN IT.

Public Lands Convention Will Discuss Conditions in the West.

DENVER, June 16.—Of greater and more far-reaching importance than any gathering in Denver in years will be the public lands convention, which will meet in the Broadway theater Tuesday morning and will be in session for three days. Informal discussions among the delegates already on the ground point to the conclusion that President Roosevelt's policies as to western land and irrigation regulations will be condemned by the convention by conservative, deliberate action, without mixing politics in the matter.

Two states will virtually dominate the convention. They are Colorado and Wyoming. Of the 1,000 delegates from the western states represented, Colorado and Wyoming will have about 425 and 80 per cent of these, it is declared, will be against the administration's policies with reference to the public domain. Oregon, Idaho, Montana and Washington, with nearly 200 delegates, will side, in a large measure, with Colorado and Wyoming.

James Wilson, secretary of agriculture, was expected to attend the convention, but he has sent word that he will be unable to come. The attendance of James R. Garfield, secretary of the interior; R. A. Ballinger, commissioner of the general land office; Gifford Pinchot, chief forester; Mr. Newell, director of the reclamation service, and J. A. Holmes, of the geological survey, representing the federal administration, is assured.

Senator C. D. Clark of Wyoming, who fought the president's land policies on the floor of the senate at Washington arrived here last night. He will take a leading part in the deliberations of the convention.

"There will be no politics in the convention," said Senator Clark today. "The questions to come up for discussion and action are not political. They have to do with the policies of the president with reference to his administration of the public domain."

"We have had a good dose of bureaucratic administration of the public domain. Now it is time that we swing back to the old moorings and constitutional rights of the states. I am satisfied that the president wants to do what is best for the country, when he is advised of the true conditions and the temper of the people of the west. This is one great end that we are striking for."

## Biggest Dam in the World.

DENVER, June 15.—By the consolidation of several irrigation companies in Colorado arrangements have been completed for the construction of the largest dam in the world at a point nine miles northwest of Denver. J. C. White & Co. of New York, who will build the dam, say it will have a length of nearly a mile and a quarter, a height of 150 feet and will contain 10,000,000 cubic yards of material. The new Croton dam, New York, contains less than 1,000,000 cubic yards. The new dam will impound 5,000,000 cubic feet of water sufficient to irrigate more than 100,000 acres, and will catch the flow of five rivers. The dam and auxiliary systems will cost upward of \$40,000,000.

## Convicted of Land Frauds.

PORTLAND, June 16.—A special to the Oregonian from Moscow says: The jury in the north Idaho land conspiracy cases returned a verdict of guilty on two of the five counts of the indictments against G. H. Kester, William Dwyer and W. F. Ketenbach and acquitted them on other counts.

The jury reached its verdict at 3:45, after the court officials had given up hope for the night. J. W. Robinson, the sick juror, was brought in on a cot and was attended by a trained nurse, his head being wrapped in bandages and his form covered with blankets.

The prosecution regards the verdict as a signal victory, which paves the way for the prosecution of similar cases which will be tried at the fall term of the federal court. Ketenbach is president, and Kester, cashier of the Lewiston National bank.

Many believe that cigars marked with light spots are indicators of the predatory habits of an insect which attacks only good leaf, but as a matter of fact, these spots are due to the combined action of rain and sun.