Orchard Gives Details of Various Crimes Committed to Terrorize the Mining Regions

"HAYWOOD, Moyer and Easterly told me that the blowing up of the mine was a fine piece of work, and they were much pleased with it. Haywood said he would have to clean those fellows up at Cripple Creek.

"Moyer gave me $20 and Haywood later paid me $300 for blowing up the mine. They both told me I could not go too fierce to suit them—to go ahead and blow up anything—to get some of the soldiers."—Harry Orchard.

he could fix his gaze on Orchard uninterruptedly, but so placed that only those very near his chair could see his face. Mrs. Haywood sat beside her husband all day, but her daughters did not come to court until afternoon. Haywood's mother, Mrs. Crothers, and his half sister, Miss Crothers, sat near his wife. Mrs. Crothers is a pleasant looking, spectacled old lady, whose black hair is strongly tinged with gray. Mrs. Steve Adams and Mrs. Pettibone, with Mrs. Haywood's sister, were in court all day and seemed especially amused at those parts of Orchard's story which involved Adams and Pettibone. Whenever Orchard told of Adams being drunk, as he did several times, Mrs. Adams smiled, as if it were a joke.

When court opened at 9 o'clock Senator Borah went on with the line of proof that he was developing yesterday afternoon and summoned several hotel keepers to prove that Orchard and Jack Simpkins had been together at Caldwell and other places near there in the fall of 1905 before the Steunenberg murder.

ORCHARD BROUGHT IN

Senator Borah remarked casually, as if it were a matter of no particular interest, "The next witness will be here in a few minutes." Of course that was Orchard. A rustle went through the courtroom at the announcement and there was a general shifting of seats to get down as near the front as possible.

Orchard had been kept over night at Hawley's office under guard of deputy sheriffs, penitentiary guards and detectives. They had not expected the summons for him so soon, and it was about 10 minutes after Borah's announcement when the party reached the courthouse, having been brought up in a carriage surrounded by guards. Orchard was brought up from the sheriff's office by the back stairs, especially built for this trial. The crowd had been craning necks to get a better look at the door and twisting from the main entrance to the side door, uncertain at which Orchard would appear.

"Call Harry Orchard," said Senator Borah. The side door opened and Ras Beemer, the gigantic deputy sheriff who has charge of the prisoners at the jail, entered, followed closely by Orchard, behind whom were four guards and detectives. Instantly there was a movement in the back part of the courtroom.

IN FEAR OF ATTACK

There has been so much talk of possible attempt to do harm to Orchard when he should come on the witness stand that the guards and deputies were on the alert to check the first indication of any such thing. As the spectators rose in the rear of the room two or three of the deputies jumped toward them with outstretched hands. "Sit down!" shouted one of the deputies in a voice that carried clear beyond the courthouse lot. There was a ring of earnestness in the command, and it was obeyed on the instant.

Meantime Beemer and Orchard had marched on to the gate in the railing by the witness chair. Beemer opened the gate and let Orchard through. Then the deputy dropped the bar again and stood outside the railing.

For a moment Orchard seemed dazed and uncertain what to do. He turned partly toward the defendant's table, but his gaze did not meet Haywood's. The clerk was standing with uplifted hand waiting to administer the oath, but Orchard did not see him. Ras Beemer reached across the gate bar, took Orchard by the shoulder and turned him half around so that he saw the clerk.

Mechanically Orchard raised his right arm. The forefinger was held straight, but the others were closed. His face was deadly pale and his lips twitched nervously. But he responded to the oath in a clear voice, climbed up into the high witness chair and sat down with evident relief.

For a moment Mrs. Haywood looked at Orchard and then her eyes returned to her husband. She looked at him as if wondering what effect on him the story to come would have, and then as the examination began, she turned again and gazed at the witness.

Orchard grasped the arms of the witness chair and turned his eyes on Attorney Hawley, who conducted the examination.

MAKES GOOD APPEARANCE

The jurors and spectators saw a solidly built young man of clear complexion, dark brown hair and steady blue eyes. He has a thick reddish mustache, which droops over a rather weak mouth. His lower lip quivered a little with excitement and his face was still very pale. He wore a neat gray suit and presented generally the appearance of a well groomed, self-respecting man. Immediately upon the commencement of the examination Orchard began to recover his composure and it was but a few minutes until he had completely regained his grip on himself.

At first there was a little shakiness in his voice, but that soon disappeared and from then on to the end of the day no feature of the awful story he related affected him so as to alter his demeanor or shake his composure. He told first the story of his birth in Northumberland county, Ontario, 41 years ago, and gave his true name as Albert E. Horsley. He has used the name of Orchard for 11 years, ever since he came to the United States from Canada.

Why he came or why he changed his name was not brought out, although the reason for both must have a bearing on his subsequent career. He was a cheese maker in Canada and when he came to this state from there he drove a milk wagon for a time and then owned and ran a woodyard up in the Coeur d'Alenes. What had happened to predispose this follower of such peaceful occupations to the life of atrocious crime has not been disclosed.

TALE IS ASTOUNDING

From giving these details of his uneventful law abiding existence he went on to the narration of the most astounding stories of murder and assassination ever told in a courtroom, at least since the days of the Mollie Maguires. He began this career, by his own admission, within a month after selling his woodyard and joining the miners' union at Burke. No reason of compulsion or solicitation by the leaders of the union was shown for that first crime. Apparently he committed it for the pure love of it. It did not involve bloodshed directly, as most of the later crimes did, but it was the sure forerunner of such. It was the blowing up of the Bunker Hill and Sullivan mill at Wardner on April 29, 1899, the crime that led to the military campaign in the Coeur d'Alenes that summer and laid the foundation for the murder of Steunenberg.

Simply and directly in his quiet, purring voice, Orchard told of the special meeting of his union called that morning, of his own attendance and of the argument between Paul Cochran, the secretary, and Bill Devery, the president, of the proposition to go to Wardner and destroy the mill "and hang the superintendent."

"I LIT ONE FUSE"

"Who lit the fuses?" asked Hawley.

"I lit one," replied Orchard calmly. "I don't know who lit the others."

Richardson fought vigorously to keep out the story. He objected at every point, protesting that there was not a thing in all this to connect Haywood with the murder of Steunenberg.

DEFENSE OFTEN OVERRULED

But Hawley and Borah beat him every time. Not the murderers of Steunenberg alone are on trial now, but the "inner circle" of the western federation of miners, and not only for the Steunenberg killing but for the terrible list of bloody crimes that Orchard went on to give.

"On what theory can it be shown that Haywood was responsible for all of this?" cried Richardson, "when he was not connected with the federation in an official capacity until more than a year afterward?"

"The theory of the state is that out of this trouble grew the feeling against Steunenberg which prevailed in the inner circle when Haywood later became a member of it—the feeling which directly caused that murder," replied Borah. "Haywood became a partisan of the western federation and had that feeling and on that we shall show his responsibility."

MOTIVE IS SHOWN

As a point bearing on the motive of the Steunenberg murder, Hawley brought out part of Paul Cochran's argument in the Burke union meeting on the morning of the destruction of the Bunker Hill and Sullivan mill. "Cochran said that there would be no trouble with Steunenberg," said Orchard, with the manner of one who recalls the incidents of a picnic last week. "He said that the unions had always supported Steunenberg and owned him. We only had to look out for the regulars."

It was their disappointment at the failure of Steunenberg to live up to this estimate of him, the state contends, that led the "inner circle" men to plan his murder.

From the account of that day and his flight from Burke, Orchard went through his wanderings in various mining districts in Utah, California, Nevada and elsewhere for three years or more, until at length, in July, 1902, he reached the Cripple Creek district and went to work in the Trachile mine running a drill. There he put in his union card with Free Coinage union No. 19, and met again in W. F. Davis, its president an old comrade of the Coeur d'Alenes.

ADMITS HIS TREACHERY

There began the real story of bloodshed and murder. "They traded in human blood," declared Hawley in his opening yesterday. Orchard gave detail after horrible detail of that awful "trading." It was a story of brutality beyond the power of imagination to conceive, interrupted once by cool admission of treachery to his fellows that gave a glimpse of the utterly despicable character of the man who told it.

Orchard had not even the honor of the thief and told on his comrades because they delayed in producing the blood money he claimed to have earned. Not once did he say that the men for whom he undertook his despicable crimes had forced him into the work. It was a plain case of buy and sell with him.

The employers set his tasks and Orchard executed them, and there was never a question because high or low, great or small, was marked for death. He took the commendation of his employers as it came all in the day's work and neither strove to merit it nor to avoid their condemnation. It was the money that he worked for and very little of that.

INDIFFERENT AS TO FATE

Orchard has got beyond caring what comes to himself as the result. He does not even attempt to shield himself in any of the details. He simply narrates an incredible string of events, telling what that man did and said, what he did and said, in just the same monotony of narration as if he were recounting the uninteresting incidents of his life as a cheesemaker in Canada ten or a dozen years ago.

So it was when he told of the blowing up of the Vindicator shaft at Cripple Creek and the killing of McCormick and Beck, superintendent and shift boss of the mine. So it was when he narrated the attempt that he made to blow up Bradley in San Francisco on the old grudge held against him ever since 1899 when he was the manager of the Bunker Hill and Sullivan mines. So, too, it was when he described the ghastly massacre of nonunion men at Independence depot because Haywood thought it necessary to get up some excitement to prevent a split in the federation.

He told of putting strychnine in the milk left on Bradley's door step as if he had described changing the bottles for four pails of ice cream. He told of pulling the wire that exploded the bomb at Independence as he might have told of pulling a fish out of the water.

HAYWOOD THE CHIEFTAIN

There was never a change of color in his ruddy face as these stories of murder fell from his lips. Not even the tale of the killing of Lyte Gregory, the drunken deputy sheriff whom he followed about the streets of Denver in the night and shot him in the back, brought a quiver to his voice or a droop to his eyes. Never a man like this sat in the witness chair before.

Through all the story ran the names of the men for whom he worked and those who helped him in his wretched tasks. Haywood was the master. It was he who gave most of the orders. Pettibone, too, gave directions, furnished money and once started out as if to help, but made excuse and turned back. That was in the Gregory murder.

Haywood was the source of the money. Even what Pettibone orders gave him came from Haywood. Moyer he named occasionally, but not too often. Moyer knew of some of the crimes, for he talked to Orchard about them and joined in Haywood's declaration that this or that was "a fine job," but Haywood was the master, with Pettibone as chief assistant.

TWO UNKNOWN MEN DROWNED

SALINAS, June 5.—News has been received here from Monterey that two unknown men were drowned yesterday while trying to effect a landing through the surf at Neponset, between Monterey and Moss Landing. The boat, which had a single mast, was capsized by a big breaker. The men, who appeared worn out and seasick, were washed out to sea. The boat had no name. It also was carried out to sea. There is no clew to the men.

"DAVIS and Parker, who had charge of the strike, offered me $500 to send a bomb into the Vindicator and ruin it. I got 50 pounds of giant powder and arranged it with giant caps, which were to be set off by the lifting of the guard rail as the cage passed. We placed the bomb, but did not hear anything of it for a week, when it finally exploded. Superintendent Charles McCormick and Mel Beck, a shift boss, were killed."—Harry Orchard.

Tells of Blowing Up of the Depot at Independence

Says He Tried to Poison Bradley Before He Used Bomb

BOISE, Idaho, June 5.—Alfred Horsley, alias Harry Orchard, the actual assassin of Frank Steunenberg, went on the stand today as a witness against William D. Haywood and made public confession of a long chain of brutal, revolting crimes done, he said, at the inspiration and for the pay of the leaders of the western federation of miners.

Orchard confessed that as a member of the mob that wrecked the Bunker Hill and Sullivan mill in the Coeur d'Alenes he lighted one of the fuses, confessed that he set the deathtrap in the Vindicator mine at Cripple Creek, blowing out the lives of Superintendent McCormick and Foreman Beck; confessed that because he had not been paid for his first attempt at violence in the Vindicator mine he had been treacherous to his associates by warning the managers of the Florence and Cripple Creek railway that there was a plot to blow up their trains; confessed that he cruelly fired three charges of buckshot into the body of Detective Lyte Gregory of Denver, killing him instantly; confessed that for days he stalked Governor Peabody about Denver, waiting for a chance to kill him; confessed that he and Steve Adams set and discharged the mine under the depot at Independence that instantly killed 14 men, and confessed that, failing in an attempt to poison Fred Bradley of San Francisco, he blew up him and his house with a bomb of gelatin.

MORE TO TELL OF

And he has more brutal crimes to tell about that will bring his bloody career down to its end at Caldwell where with a great bomb he killed Governor Steunenberg. These will come tomorrow for he is to resume the stand when the district court sits again.

The first witness called after the opening of court was J. M. Brunzell, a hotel proprietor at Nampa, Idaho, which is between Boise and Caldwell. Brunzell identified the names of Thomas Hogan and John L. Simpkins in his hotel register for November, 1905.

Following Hinkey and Conners on the stand came C. H. Wentz, a book keeper of a mining company at Wallace, Idaho, and formerly in a bank at Wardner. Wentz identified the photograph of Simpkins which was offered and accepted in evidence over an objection from the defense, and also Simpkins' signature of "Simmons" in the various hotel registers.

Guy Feight of Nampa told of seeing Orchard and Simpkins in company at Caldwell prior to the assassination of Governor Steunenberg.

Then ensued a delay of 10 minutes before Harry Orchard arrived. After he had been sworn Prosecutor Hawley took him in hand.

"Where do you live?" asked the attorney.

Orchard did not seem prepared for just this question and hesitated a moment. Finally, in an almost inaudible tone he said that he was confined in the state penitentiary.

"Speak up, Mr. Orchard," said Senator Borah. "The court must hear you."

"Are you charged with any crime?" asked Hawley.

The prisoner turned his glance for a moment and then said: "I am charged with the murder of Frank Steunenberg and am awaiting trial.

"I was born in Northumberland county, Canada, in 1866 and am therefore 41 years old," went on the witness in answer to Hawley's questions. "Harry Orchard is not my true name. I have gone by that name for about 11 years. My true name is Alfred Hersley.

JOINS BURKE UNION

"I came to the United States in 1896, first to Spokane, where I remained a week. I went to Wallace, Idaho, in March or April, 1896. I first worked for Markel brothers driving a milk wagon and remained there until about Christmas, 1896. I then went to a wood and coal yard in Burke, Idaho, and was engaged in that business until the spring of 1899 on my own account for two years. In 1895 I sold a half interest in the business to Mr. McAlpine. My business in Canada was making cheese.

"I sold all my interests in the woodyard and went to work in the mine, in March, 1899. I went to work at 'mucking' and continued at it for a month. I became a member of the western federation of miners as soon as I went to work in the mines."

Orchard said that he joined the Burke, Idaho, local of the western federation of miners. This was in the Coeur d'Alenes. He described the Coeur d'Alene country to Hawley, giving the railway connections between the different cities and mining companies.

"State what unusual occurrence there was at Burke on the morning of April 29, 1899," commanded Hawley.

"We object to that," shouted Attorney Richardson for the defense. "What occurred in 1899 can have nothing to do with this defendant, who was not elected a member of the executive board of the western federation of miners until long after these troubles. Counsel stated yesterday that the rank and file of the federation knew nothing of the workings of the inner circle."

Hawley said that he intended to connect the Coeur d'Alene troubles with the defendant.

"The court," said Judge Wood, "can readily see how this testimony may be material and will overrule the objection."

Orchard proceeding, said: "On the morning of April 29, 1899, when I got through breakfast I was told there was a special meeting of the union and everybody was expected to be present. I went to the meeting."

Richardson objected again, saying that there was absolutely nothing connecting Haywood with this meeting. The objection was overruled.

PLOT TO BLOW UP MINE

"The meeting was called to order," continued Orchard, "by the secretary, who said that it had been decided that day to go to Wardner to blow up the mill at the Sullivan and Bunker Hill mines and hang the superintendent—"

Again the witness was interrupted by Haywood's counsel, who demanded to know how the defendant was to be connected with the Coeur d'Alene troubles.

Senator Borah replied for the prosecution, saying that it would be shown that Haywood came into the inner circle with a full knowledge of what had been done and entered into the conspiracy. This would be shown, Senator Borah declared, by Haywood's writings. Senator Borah said that it was necessary to go into the Coeur d'Alene troubles, which were suppressed by Governor Steunenberg, to show the motive for the hatred of Steunenberg and for his eventual taking off.

Judge Wood allowed the prosecution to show the general conditions in the Coeur d'Alenes and Governor Steunenberg's part in them. He said that he would not permit the witness to go into details. The defense noted exceptions to the court's ruling and Orchard proceeded:

"Arrangements had been made to cut the wires along the railroad and take possession of a Northern Pacific train. At Gem we were to be joined by the Gem union and together we were to proceed to Wardner. While the secretary was telling us what was planned by the central union the president of our local union came in and said he had not been informed of the meeting. When told the purpose, he objected to it and there was a discussion. The motion to go to Wardner was finally carried by a small majority. After the vote nearly every man decided to go.

WARDNER MILL DYNAMITED

"Paul Cochran and six other members of the union took charge of the train. We went to Gem and took 40 boxes of giant powder—"

Judge Wood interrupted to say that these details were outside his ruling. If a mine was blown up, he said, the witness should say so.

Orchard, however, proceeded with his narrative, saying that before the mine was blown up it was decided to back up to Gem to get more powder.

"There were about 1,000 men on the train, most of them armed," he continued. "At Wardner we were told by W. F. Davis, who was in command, to line up. The men with long guns were told to take the front ranks, to be followed by men with six shooters. We were told to fire on the mill as we approached. This we did and the fire was returned by the guards. It soon developed, however, that there were no men in the mill and we took possession. Powder was placed at three places about the mill and it was blown up."

"Who set fire to the fuse?"

"I lit one—I don't know who lit the others."

Orchard said that two men were killed in the affair. Four or five days after this trouble the United States troops came into the Coeur d'Alenes.

"Who was the governor of the state at this time?" asked Hawley.

"Governor Steunenberg."

"Was his name mentioned at the meeting that you have described?"

"Yes, sir."

VISITED CALIFORNIA

"Mr. Cochran said that he did not believe that we would have any opposition from the governor; that we had always supported him and could control him. He warned us to be careful about interfering with the federal authorities."

When the troops came, Orchard said, he quit work and went to Montana.

"Who was president of the western federation of miners at this time?" asked Hawley.

"Edward Boyce," replied the witness.

After two weeks in Butte, Orchard said, he went to Utah and began working at the Ben Butler mine, near Salt Lake City. Later he went to the Little Cottonwood mine. Then he went to California in November, 1900, and drifted from there to the mines of Arizona, where he worked until March, 1902. From Arizona he went once more to Utah, returning later to Idaho.

Orchard testified partly in response to questions and partly was allowed to tell his story in his own way. He reached Cripple Creek, Colo., soon after July 4, 1902. He said that he had been given a withdrawal card from the western federation of miners when he left Butte. Arriving at Cripple Creek, he once more went into the union—joining a local of which W. F. Davis was president. This Davis was the same man mentioned in connection with the Idaho troubles.

Orchard worked for a time at Vindicator mine No. 1, near Bull hill. He left there in August, 1903, going out in the general strike which was on among the miners in the district. He remained in the vicinity for nearly a year, during all of which time the strike continued.

VINDICATOR OUTRAGE

"What were you engaged in during that time?" asked Hawley.

"I had no regular occupation," replied Orchard.

"What trouble was there at the Vindicator mine in which you engaged?"

The defense objected and the question was temporarily withdrawn.

"Where was the headquarters of the federation at this time?" Hawley asked.

"At Denver."

"Who was president and who was secretary?"

"Charles H. Moyer was president and W. D. Haywood was secretary," replied the witness.

Hawley then renewed his question as to the Vindicator mine. It was once more objected to. Judge Wood overruled the objection upon the statement of counsel for the prosecution that Haywood would be connected with the affair. Judge Wood said that unless Haywood was properly connected with the testimony as given by Orchard he would rule it all out.

"I had been high grading in the Vindicator mine," said Orchard. "High grading is commonly known as stealing high grade ore. I discovered some powder in the mine and reported the fact to Davis, president of our local. He said that he would give me $200 to set the powder off and blow up the mine. The union men had all been called out on strike.

"I asked a companion, named Scholtz, if he would like to go in with me. He said all right and that he thought that we were justified. We went to the mine and took a couple of shots at the man running the cage. He ran into a tunnel. We did not find the powder and came out of the mine unmolested.

HIRED TO COMMIT CRIME

"In November some time W. F. Davis and Sherman Parker, who were in charge of the strike, came to me and asked if we could not send a bomb into the Vindicator mine and ruin it. They said that they would give me $500 for it. I went to Scholtz about it, but he said that he did not want to do it, for they had not paid him for the last time he went into the mine.

"A man named Ackerman then said that he would help me. I got 50 pounds of giant powder and arranged it with giant caps, which were to be set off by the lifting of the guard rail as the cage passed the seventh level. We placed the bomb, but did not hear anything of it for about a week, when it finally exploded. Superintendent Charles McCormick and Mel Beck, a shift boss, were killed.

"I saw Davis and Parker after this at the miners' hall and we talked it over a little. I went home with them that night. I told them that I was broke and wanted some money, and they said that they would have to get it from headquarters in Denver.

"That night they wanted me to go to Victor with them. I held back at first, but they said that there was no reason to fear and finally went. I asked again for the money, saying I might have to get out. Parker said that he would give it to me the next day. The next day, however, both Davis and Parker were arrested—the day following the meeting at Victor.

"W. B. Easterly was also arrested, but released on habeas corpus. He went to Denver, and I followed him there. I went to see Haywood and Moyer at their offices in the Miners' exchange building.

"I knew them only by sight prior to this. I introduced myself and they said that they knew me by reputation. Moyer asked me if I wanted any money and I said not at that time, but later. Moyer said that Easterly had told him who blew up the Vindicator mine and killed McCormick and Beck.

"FRED BRADLEY had been manager of the Sullivan and Bunker Hill mine in Idaho and we were after him. I went to his house in San Francisco one morning and put powdered strychnine into a milk jar. Nothing came of the poison. I put a bomb at Bradley's door. I attached a string and when Bradley opened the door the explosion blew out the whole front of the house and blew him into the street."—Harry Orchard.

HIS WORK PRAISED

"Haywood told me that the blowing up of the mine was a fine piece of work and they were much pleased with it. I talked to Haywood, Moyer and Easterly about the matter. They said that there would be nothing further for me but night work for a while. Haywood said that we would have to clean those fellows up at Cripple Creek.

"Moyer gave me $20, and Haywood, later in Moyer's office, paid me $300 for blowing up the mine.

"I returned to Cripple Creek in December, 1903, and since then I have not done any labor. Haywood and Moyer both told me that I could not go too fierce to suit them—to go ahead and blow up anything I could think of—to get some of the soldiers if possible.

"I went to work and made a couple of bombs with giant powder and dynamite. I was helped by Owney Barnes. I turned one of the bombs over to a man at a saloon, who said that he was going to throw it. I don't know what became of it."

Some time in January or February, 1904, Orchard said, he went back to Denver as a delegate to a labor convention called by President Sullivan of the state federation of labor. Parker and Davis were still under arrest at this time, charged with the blowing up of the Vindicator mine and attempt at train wrecking.

The defense objected to any testimony as to the train wrecking, but it was allowed by Judge Wood. Parker and Davis, Orchard said, told him that they were going to wreck a Florence and Cripple Creek train near a curve on the mountain where the train would plunge into a gulch several feet below. Parker said that something must be done to kill off the nonunion men who were taken to the mines and home again over this road. Orchard said that Davis told him that if the train was wrecked some money would be forthcoming from Denver.

PAYMENTS ARE SLOW

"I wanted money for what I had already done," continued Orchard. "Parker told me that several of the boys had been doing little things and they all wanted money, but it was hard to get because nothing big had been pulled off. I decided to tell the railroad people, because I wanted my money. The next day I told D. C. Scott of the railroad company. I told him all I knew about the matter. Scott wanted me to come back again and I did see him again. In the meantime the bomb in the Vindicator had finally gone off. Scott sent for me again and wanted to know if I knew anything about the explosion. I said no, that I thought it was an accident.

"I met Moyer several times during the trials which followed the explosion. He was attending the trials and said he thought we ought not do anything while the trials were in progress. A man named McKinney testified at one of the trials about a liquid which burned. Moyer told me that we must be careful not to use any of the liquid soon or he might be connected with it."

Orchard stated that he afterward went with Moyer to the Telluride country in connection with injunction proceedings which the union took against the citizens to prevent their molesting miners who returned after deportation.

At this point the luncheon recess was ordered until 1:30 o'clock.

There was a tremendous crush at the afternoon session of the court. More than half of the crowd was made up of women. Orchard resumed the stand as soon as court reconvened.

Notwithstanding the injunction, Orchard said, some of the miners returning to Telluride were arrested. Orchard then returned to Denver, where he met Haywood and Pettibone at federation headquarters.

TO SLAY PEABODY

"They wanted to know if I couldn't work up some scheme to assassinate Governor Peabody of Colorado. They said they couldn't get justice in the courts and the only way to get our rights was to take the law into our own hands. They wanted me first to see if I couldn't get acquainted with Governor Peabody, his ways, etc., and see what chance there was to assassinate him. I proceeded to watch him for some time—at the capitol, at his home in Grant avenue, three blocks from the capitol.

"I reported to Haywood and Pettibone that there was a stone wall near Peabody's house, from behind which he could easily be shot. Haywood said that he thought Steve Adams was the best man he knew of for the work. I went to Cripple Creek and saw Adams about it. He said that he was ready for it—was ready for any old thing. I gave Adams some money and came away. He said that he would come to Denver and telephone me in a few days.

"Adams followed me to Denver in three days. I saw Adams in the room over Pettibone's store and at headquarters. Pettibone sold house specialties. I told Haywood and Pettibone that Steve was coming and they said all right. When Steve came they gave him some money and Pettibone bought Adams a new suit of clothes and fixed him up.

"They also gave Adams and me two sawed off shotguns and shells loaded with buckshot. The guns were sawed off so we could carry them under our coats. Pettibone gave us the guns. He got them from federation headquarters.

"We watched for Peabody every night for a week but did not see him for a week. We kept after him for three weeks. One night we saw a hack come along and turn into his residence. We stole up behind it with our guns expecting to see the governor get out. Only two women alighted, however. After this we were afraid to go around there, for the women had watched us closely that night. We decided then that we would try to use a bomb—digging a hole in the sidewalk and burying it."

"Did you talk to Haywood about this?"

DEPUTY IS MURDERED

"Yes. Pettibone said all right but Haywood said he did not want this done because the executive board was in session and he did not want anything to occur at that time. He told us to lay off for a while. We remained in the city, but did not go to headquarters much."

"What next did you do?"

"We were to assassinate Lyte Gregory, a deputy sheriff who had been in the mines. He had also been in Goldfield and was against us."

"Who suggested this?"

"Pettibone. He told Adams and myself he wanted the thing done. We talked the matter over in Pettibone's store. Pettibone said it would be a good thing to make an example of Gregory. Jim Murphy of Butte spoke up and said he thought that it would be a good thing, too. Pettibone, Adams and myself went down town to a saloon where we found Gregory in a rear room, drunk. Meldrim, who was a mine owner, was with Gregory. We watched them and followed them across the street. Pettibone then made some excuse and left us. Gregory left the saloon about midnight. He saw us, I think, and made a reach, as I thought, for a gun. I then shot him three times with a sawed off shotgun."

"Did you kill him?"

"Yes, sir, I believe I did."

Meldrim was with Gregory at that time. Orchard then told of running away and hiding his gun. Next day he saw Haywood, Pettibone and Jack Simpkins.

DEPOT IS DYNAMITED

"They all expressed themselves as well pleased with the job. They said it was all right. They thought that whoever bumped Gregory off had done a good job."

"Where was Moyer at this time?"

"He was in jail at Telluride."

Orchard said that there was no specific arrangement as to the amount of money to be paid for the taking off of Gregory. He received $100 the next day and had been getting money from headquarters right along. Orchard said that Haywood, Pettibone, Simpkins and Sherman Parker next wanted "something pulled off" in Cripple Creek.

"Haywood and the others said that they were having trouble in the convention and that there threatened to be a split-up," continued Orchard. "They thought that if something was pulled off in Cripple Creek the excitement would make everything all right in the convention and the delegates would go home. We planned then to blow up the Independence depot in Colorado.

"I asked Steve Adams if he wanted to help and he said that he did. I gave him the money to get the powder with and we took the powder to a cabin near the depot at Independence, preparatory to using it the next night. The next day Sherman Parker told me that some of the men from the convention were coming up to Independence to make an investigation of conditions there and he told us to not pull the thing off until they went away.

"They went away Sunday morning and the same night we placed the powder under the station platform, attached a wire to it and then waited for a train to come in. The trains brought nonunion men to Independence. We used 100 pounds of the powder.

"Steve Adams and I both pulled the string which upset several bottles of sulphuric acid. This acid ran over a box of giant caps and these set the powder off. The depot was wrecked and from 12 to 14 men were killed.

TAKES TO FLIGHT

"We went to Colorado Springs and camped there one night. We then camped near Palmer lake for one night. Then we went to Denver, coming into the city on an electric car. In Denver we met Haywood and Pettibone in Jack Simpkins' room. Kirwan, now the acting secretary of the western federation of miners, was also there.

"Our conversation had to do with the blowing up of the depot. Pettibone spoke first and said he was well pleased with the job. Haywood also said it was a good thing; that things had gone all right in the convention. He said that a lot of fellows in Cripple Creek had been arrested and we must lay low till they were out. I remained in Denver three or four days.

"Johnny Neville and his son Charley were with us. They had been with Adams and myself at Independence, but they were not in our confidence as to the plot. Before I left Denver I told Haywood that I wanted $300 to take a trip to Wyoming. He said he would send me the money through Pettibone. The next day Pettibone gave me the $300. Adams told me that he had got $200.

"After buying a few things I left for Cheyenne, Charlie Neville going with me. I saw in the papers there that we were suspected of blowing up the Independence depot, so I thought that we had better get along.

"I asked Pat Moran in Cheyenne to take a letter to Pettibone asking him for $500. Moran took the letter to Pettibone and brought the money back. Cheyenne is only 100 miles from Denver. Neville and I decided to go on to the Dakotas. It was about two weeks before we reached Thermopolis. Neville wanted to stop there and take the hot baths.

LETTERS TO PETTIBONE

"I rode on and sent the horse back for Neville. At Cody, Wyo., I got a letter from Pettibone. I destroyed the letter right away. It said that I had better get to the tall timber right away; that I was wanted for the Independence depot affair.

"Instead of going to the tall timber I went straight back to Denver and saw Pettibone and Haywood. They told me at first that I'd better get out of the country. They also told me that they had another man working on the Peabody affair.

In the latter part of July, 1904, Pettibone got me a railroad ticket and gave me $150 more and I went to San Francisco, where I used the name of Hogan or Demossy. I've forgotten which. Pettibone had told me to send for any money needed. In about 10 days I wrote and asked for $100. Pettibone sent it to me by registered letter. He told me that I shouldn't change my name so often, that Harry Green was a good enough name for anybody and that he would address me that way in the future."

"WE placed 100 pounds of powder under the station platform, attached a wire to it and then waited for a train to come in. The trains brought nonunion men to Independence. Steve Adams and I both pulled the string which upset several bottles of sulphuric acid. This acid ran over a box of giant caps and these set the powder off. The depot was wrecked and from 12 to 14 men were killed."—Harry Orchard.

"What name did Pettibone use?"

"He signed that letter 'Pat Bone.' He had often used that name?"

Orchard said that he had been told to look up Fred Bradley in San Francisco, but could not find him. Bradley had been in the Coeur d'Alenes. Orchard testified that he received money from "Pat Bone" several times by the Postal telegraph company.

The defense noted exceptions from time to time to Orchard's testimony, but Judge Wood consistently overruled all objections upon a statement by the prosecution that the witness' story would be connected with Haywood, Moyer and Pettibone.

CRIME IN SAN FRANCISCO

"I finally located Bradley in San Francisco," said Orchard. "He had been manager of the Sullivan and Bunker Hill mine in Idaho and we were after him. I went to his house one morning and just after the milk arrived I opened one of the jars and put a lot of powdered strychnine into it.

"Nothing came of the poison as far as I could learn, so I bought 10 pounds of powder—gelatin powder it was. When purchasing the explosive I had to give a name. I have forgotten what the name was. I said that I lived outside the city and wanted to blow up some stumps. I put the powder into a lead pipe. This I put up in my grip with some giant caps, a sawed off shotgun and some other little things.

"I put the bomb at Bradley's door sometime in November, 1904. The bomb was arranged with giant caps, chloride of potassium and sugar being spread over them. It was so arranged that when Bradley opened the door a string attached to it would upset a bottle of sulphuric acid."

"What was the result of this?"

"When Mr. Bradley opened the door the next morning the explosion blew out the whole front of the house and blew him into the street."

Orchard said that he remained in San Francisco two or three weeks after this occurrence. He said that he sent to Pettibone for money and received altogether about $450 by Postal telegraph.

Orchard said he left San Francisco because he had nothing further to do there. He made no further attempt on Bradley's life. The man had been badly injured by the explosion.

At this point an early adjournment was taken because of the indisposition of Attorney Hawley, who had been conducting Orchard's examination. Hawley had been suffering from a headache all day and the heat in the crowded courtroom during the afternoon was telling on all connected with the trial. Court then adjourned until 9 o'clock tomorrow morning.

TWELVE ACCUSED OF PLOT TO BE EXECUTED

Men Condemned for Attempt on Cabrera Said to Be Innocent

MEXICO CITY, June 5.—According to a telegram received in this city tonight, 12 of the 19 men condemned to die by court martial proceedings because of an alleged attempt on the life of President Cabrera of Guatemala will be executed. Eleven of these men are Guatemalans. One of the Mexicans accused, Jose Mendosa, was exonerated. The other Mexican implicated, Nazai Mendosa, was sentenced to five years' imprisonment. Two of the Italians charged with complicity in the attempt were sentenced to 15 years' imprisonment each.

Of the other foreigners on trial, one, a Spaniard, will be executed. The dispatch characterizes the condemned men as honorable and innocent victims.

At the state department no comment was made on the action of the revision court.

POLICE OFFER REWARD FOR MISSING DENTIST

Woman Imprisoned Is Believed to Have Been Cause of the Suspected Slaying of Man

COFFEYVILLE, Kans., June 5.—The police offered a reward of $100 last night for the recovery of the body of Dr. Valle Burgee, a young dentist formerly of St. Louis, who has been mysteriously missing since March 8 and is believed to have been killed. The reward also is offered for knowledge of Burgee's present whereabouts if alive. A woman over whom Burgee is supposed to have been killed has been arrested and is being held, but on another charge. She probably will be held as a witness at the hearing here tomorrow of Harry Dove, a cab driver, who was arrested on May 29 in connection with the disappearance of Burgee.

ROOSEVELT MEETS KELLOGG

WASHINGTON, June 5.—Frank B. Kellogg, special counsel for the government in the Harriman investigation, was at the White House today. It was reported that he talked with the President about some feature of the case. What it was he would not say.

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