

73

State of Idaho
vs.
Steve Adams
Defense Attorney Richardson's
notes, affidavits and related
material
1906-07

Index

- 1-11 Adams' version of Orchard's Confession.
12-47. Adams Statement to Richardson.
48-60. Reports of Dickson.
61-90. Report of Mc Cornack, also 212-215.
91. Letter of Kirwan.
92-93. Copies of Telegrams to Silver City.
94. Letter of Kirwan concerning Correspondence and Telegrams.
95-97. Letters of Hanlon and Haywood.
98-110. Miscellaneous Telegrams and Letters.
111. McParland's History as a Knight of Columbus.
112. Agreement with Sterling.
113-114. Statement of Francis Butler.
115-126. Affidavit Statement of A. H. Rogers.
127-140. Rogers' History of Conversations, etc.
141-160. Rogers' History of Conversations, continued.
161-162. Statement of Dick Reese.
163-164. Memoranda of Holdups Committed in Denver in the year 1905.
165-175. Miscellaneous Memoranda.
176-211. Miscellaneous Publications.
212-216. Mc. Cornack's Report add. witnesses.
216-250. State's witnesses.
250-303. Newspaper Excerpts sub index names p. 251.
303-311. Partial list of Defense's witnesses.

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State of Idaho
vs.
Clare Adams
Defense Attorney Richardson's notes
all items and related material
1906-07

436 pgs

HARRY ORCHARDS CONFESSION AS NEAR

AS I KNOW.

THE CONFESSION everybody was arrested on was thrown or laid away by Hawley and Borah had him write out anew one or one he could commit to memory as the one he gave to McParland was so much of it hear say evidence that he could not repeat it the second time anything at all, like the first one. He was a wk. or over writing the last one.

dead
The first thing he said he ever did was when he went to Sherman Parker. He told Sherman he would do something if he would get him a helper. Sherman told him of Billy Aikman and Sherman Parker told him he would get a bunch of money if he would fix a cage of scabs at the Vindicator mine. He first got Joe Craig his brother-in-law to help him, but he said he (Craig) got afraid and quit, then he Billy Aikman and Billy Gaffney did the work.

The next thing was the Gregory case (This was before the Gregory job though).

He was the one who shot the sheriff
The Next he told about he Orchard and Pettibone was in an alley in Denver the night Moyer was being taken back to Telluride. He said they were going to shoot sheriff Rutan of San Miguel Co., but he had two deputies in front of him; two behind him and Moyer I believe walking with him so they had to give that up. He said they both had six shooters with them. *Pettibone was a li*

He was the one who shot the sheriff
The next thing he said was the Independence Depot disaster, he and Steve. He went to Denver after with John Nevelle, "deceased" in a rig (Orchard & Nevelle) he bought in Cripple Creek from Joe Adams. When he got to Denver he (ORCHARD) went to Pettibone's store at 1725 Stout Street. He (Orchard) got him to buy his auto. No. 4356 and his rifle (Savage). He said Pettibone bought shot gun before. He got \$400. at that time of Haywood and he and Nevelle went, one to Wyoming. At Cody he got a letter from Pettibone and Haywood to come back to Denver quietly which he did. Then they gave him money to go to California to kill Bradley which he attempted. He implicated a Secretary of the Union there as in implicator. He said he drew money Pettibone sent him under the name of Pat Bone from Haywood He said the secretary got it for him. His name was Huff. He (Orchard) said he (Orchard) went under the name of Berry and Green while there San Francisco.

He was the one who shot the sheriff
He also said Pettibone sent a money order to him. He said he had a time getting it there which I believe detectives followed up the clue and found where he got the money all right.

He (Orchard) then came back to Denver. He got a soldiers suit from some of the soldiers there (San Francisco) and went to Denver on the train. When he got to Denver he phoned to Pettibone from a lodging house to come to where he was which he did taking Steve with him.

He (Orchard) then came home with Steve and boarded at our house till the following April when he lied about Steve and left.

He (Orchard) said he and Steve were to try and get either Goddard, Gabbert, Peabody with shot guns if possible.

After Steve quit he said he got Nick Kakach an Austrian that Max Malich knows well and then he and Nick Kakach worked on them, Gabbert, Judge Goddard, Peabody. Afterwards they tried to get Goddard with a bomb but it failed to go off. He left it buried and afterwards Buckley Wells dug it up and they have it as evidence against the boys (Moyer, Haywood & Pettibone) Now he told where he got the case for bomb at Reacher plumbing store.

In May when the W.F.M. met in Salt Lake City, he (Orchard) and Nick K. went after Gabbert. They fixed a bomb of nitro glycerine, which ever it was and tied a pocket book to it. When he saw Gabbert coming down the street they fixed it for him. He (Orchard) got on a wheel and rode down the street a ways. He saw Gabbert pass this pocket book. He started to go back and gather it up to take away when a man by the name of Marion "I believe" came along and picked it up causing his death.

He (Orchard) said also that he, Steve and Billy Aikman all worked on Peabody there to use bomb, shot gun or anything on him. He also implicated Joe Mihelich. He also implicated me to here as saying I thawed the bomb out for them and said I walked with Steve along St. to locate Goddard.

He (Orchard) that he, Steve and Joe Mihelich stole that powder from the magazine in Denver and buried it under our house 4357 Globeville N. Lincoln St. or near the garden place school.

He said Steve afterwards gave Max Malich the powder and caps and fuse

He said he then came to Idaho for Steunenberg and talked with Coates about stealing Paulsons lad but Coates refused to have anything to do with it. He said he got \$300. from Paulson when he went to Caldwell and he and Jack Simpkins went to Caldwell when they found out Steunenberg was out of town so they waited for him to come back. (Steve can tell you more in here what Harry told him about it) He said after he was arrested he waited for a lawyer. He told Jack Simpkins told him to get either Miller or his partner of Spokane if he got caught there as they were good. He said after he got Miller he didn't think he was any good though he (Orchard) had him go to Denver. He said he had \$1500. in Pettibones safe and for him to get it. He went and came back he said he (Miller) could give him (Orchard) a \$100. but he (Orchard) would not take it then. He told him to get his clothes which he did.

But while Miller was in Denver McParland came up to see him. He said McParland gave him a nice talk- told him all the evidence the State had against him; told him his neck was in the loop and the only thing which he could possibly do was to cough up which he did; that the Western F. did not care for him nor anybody else and that they would kill him if he did get out.

Page 5

2

He told me plainly he was to go scott free and was going to get a good bunch of money from them. He said the first thing he did was to put water between him and the W.F.M.

In the Gregory murder he also implicated a man named Foster Milburn.

He (Orchard) said he afterwards gave Jack Simpkins the Gregory gun which he (Jack) thought a whole lot of. Shot gun was NO. 635635. This was got from another source. Steve does not now remember. Take down barrel. Sawed off 6 in. He (Orchard) and Pettibone sawed this off in the basement of his store 1725 Stout St.

He also told McParland that Miller told him to say he was wealthy or a mining man and it was his money he got to defend himself with as the W.F.M. didn't want any one to know they were paying Miller themselves.

He never told McParland his right name last summer. He told me he was married before he came here and had a daughter 12 years old living. He also said he never was divorced from his first wife.

He told me in Colorado he killed a man before he came to this country, Ceuer d' Alenes I mean, where he came from he said he had a cheese factory there, leased from his Uncle. He said he run it a while, got all the insurance he could on it. Sold all the cheese he could afterwards and then set fire to it. He said the way he happened to kill this fellow, he was mad at him because he (Orchard) was too thick with a woman who was this mans wife. He staid, collected all the insurance, beat all of the farmers he could out of their money for milk and then he had to skip out as it was beginning to leak out what he had did and the insurance company got a warrant out for him, and he found this out through friends and skipped out. He spoke of Detroit Michigan a whole lot to us (Steve and Annie) and of penn. I am almost positive Orchard told me he was born and raised in Penn. ✓

Harry said while he was in ⁺risco he run out of money playing poker and held up a street car conductor. He said he run out with him to the end of his line. Nobody was on the car as passengers but him and he stuck him up and got his money. He said it was somewhere between \$30. and \$50. he got from him.

Harry told all that was in both confessions and more too I guess, in the first statement he made, but afterwards made a shorter one he could commit to memory. This was done because the lawyers told him to write it over and condense it so that the lawyers could not tangle him up on it. This is what Orchard said to Steve.

Harry also told in his confession about he (Orchard) and Jack Dempsey took a big lump of coal and filled it with powder and threw it in among the coal of the Vindicator mine. He said they wanted to try to blow the boiler up. He said Jack Dempsey threw this in among the coal but they never heard any more of it.

Harry also said in his statement that the firm of Hawkins and Richardson wrote up a recommendation for a insurance agent in Denver. Pettibone also wrote one and Jim Sullivan attorney also wrote one in Denver. He said Hawkins said he would write him out one under any old name. He had them wrote out for Tom Hogan his assumed name?

He said that he and Steve got ^{Gale, Va. Conn.} Al. Miller to buy 100 pounds of powder (he was a leaser) which they used to blow up Ind. Depot.

He told them that Steve was implicated in the killing of Collins. He told them Garney was taken out by a bunch of men and

...killed 3 with in hospital and they hurried him in the grave yard. He told them that I was the slayer of Bouie and Tyler and that Jack Simpkins, Glover and Mason assisted me.

I gave the substance of the foregoing to John H. Wourms orally. He reduced it to writing and gave it to E.F. Richardson who had it type-written and brought it to me at the jail in Wallace on Feby. 2nd, and when I carefully read and corrected it. The facts stated therein are substantially untrue, but it is a fact that such stated facts are what Orchard stated that he told McParland, Gooding, Harsh and Lawley.

Signed (S.W. Adams)

WITNESS: E.F. Richardson.

A COPY OF STEVE ADAMS CONFESSION. THIS IS WHAT I TOLD THEM AS NEARLY AS I KNOW.

FIRST: Assault on Andy Starke-Billy Easterly, Arthur Baston and myself.

SECOND: Assault on Jack Robinson-Sherman Parker; Arthur Baston, Bill Easterly and myself.

THIRD: Martin Gleason murder-Manager of Wild Horse Mine-- Harry Orchard said Ed. Minster and Arthur Baston did it.

FOURTH: Arthur Collins murder, Manager of Smuggler Union Mine. I did. Ed Minster and Art Baston went to do job but failed. He had to appear in Court in Cripple Creek so he went home and I and Art Baston did it. Vincent St John paid us \$500. We divided it in halves and Art went to Denver and Meyer and Haywood gave him \$1000. He came back to Cripple Creek and gave me \$750. more. He then left and went to Idaho near Wesier. I stayed in Cripple Creek.

(Made statement to them me, Ed Minster, Arthur Baston were working on case and that I did it myself. I said that St John gave Baston \$500. and that Baston gave me one half of it. Later on Baston gave me \$750. at my cabin. I said in my statement that Baston secured this money from Haywood.

FIFTH: Assault-took a detective out of a saloon in Independence. Implicated Ed Minster and myself.

SIXTH: Power plant at Colorado Springs. W.F. Davis and Parker paid us \$200. Walter Ferguson, Dunn, Slim Campbell and myself started. All quit but Slim and I. We did what we could alone. Davis went to Denver and brought us back \$300. more. He stopped off at Colorado Springs and gave it to me on the big railroad bridge.

SEVENTH: Bill Haywood and Meyer sent for me to come to Denver. I went. He wanted me to go to Colorado Springs and get Manager McNeil. He wanted to try and kidnap him. I went back to Cripple Creek and got Ed Minster and we went down there. I afterward went back and told them it could not be done. We tried every way and then we went back to Cripple Creek.

EIGHTH: Assault on Stewart, Jim Lafferty, Denver & Idaho Springs. Slim Campbell, think dead. Ed Minster Johnny Navin R.R. man. My sister lives in Denver. and myself.

NINTH: Bill Haywood then sent for me to again come to Denver. W.F. Davis. I went and he and Pettibone sent me to Pocatello with that fire or Pettibone Dope. They (H. & M.) heard they were sending from Couer d' Alene to C.C. by way of Pocatello and Ogden. I went and watched every train while there but there was something

the matter and they sent the seals some other way. I burried the stuff and tore up my grip. (Orchard gave me this. I had no knowledge of it at all. He said 3 pint and 2 quart bottles were burried in a tin can in an old saw mill shed and to pretend and to pretend that I did it, showed me a chart and said it would not be used against me but would make me solid with the Governor. Afterwards McParland/ Gov. & Borah and Hawley said if I went through I would not be hurt.)

I then went to Telluride. While there O.M. Carpenter and myself removed what was left of parnesy body. We put his clothes in one sack and his body in another and burried them, separated one in one hole and the other sack in another. We done this because there were too many people knew where he was burried. I went to work on curve station tunnel of liberty ell. I then was married November 03. I went back to ripple creek to get a house and get things fixed up for house keeping when the vindicator was blown up. I was arrested and put in ripple creek jail.

Vincent St John told me that he and two others (did not give names) Killed Wesley Smith. Hot him in the Union wall. He drew a gun on St John and St John caught the trigger some way, and that night sometime he said they burried him in the grave yard in a grave fresh where somebody had just been burried lately.

After I got out of jail on #15000 bonds, I stayed at Independence at my home until after my case waws nolle prossed and then Harry Orchard and I went to Denver. Harry going ahead of me by a few days. Pettibone came up to see me and Harry right after I got out of jail on Sunday.

When we went to Denver we went after Peabody. We worked on him for three weeks or over every night. We heard then that Gregory was in Denver and located him in a poker game in a saloon. We watched him until night. Harry went after his shot gun while I watched him. Pettibone started to go with us but went back to tell Moyer and Haywood to get where they could prove an alibi if necessary. Harry came back and when Gregory came out of saloon we followed him to the Alley where Harry shot him. We run through the alley for a few blocks and then went to our rooms at 38 and Downing Ave. We both then came back to C.C. a few days apart.

I then went back to Cripple Creek and staid until after the Independence depot accident when I left again. Harry and I did that. We went back to Denver. Bill gave me at Pettibones store \$200. (I gave pe tibone \$100. to send to my wife at Cripple Creek which he did but she left before she got it and then he went with her and drew it back.) This is a fact.

He sent the money as Johnie [Guarini] being sending it (Not his name). I stayed in Denver until June 27th or 28th and then H. P. & M. told me it was getting pretty hot there. I had better leave and go up to Jack Simpkins in the Couer d' Alenes so I did, Pettibone giving me \$200. more from Bill H. & M. Pettibone bought my guns, a shot gun and an automatic 38 Colts from me. He also bought Harrys. I told them also that he came out to my house and game me some money \$200. in presence of my wife.

When I went up into Idaho I went to Jack, and Jack and the settlers there told me their troubles and we went after the jumpers, Mason, Glover and myself got Tyler, later Jack Simpkins, Glover another man and myself got Boule.

Jack and I were waiting for money to come from Denver to go to go after Steunenberg but it was so long in coming that I got a letter from my wife in Denver to come home which I did, but when I got to Denver I met Bill. H and Pettibone and Bill told me he had sent the money to Ed Boyce but I failed to get it.

Harry went to San Francisco after Bradley he said. He came back to Denver and came to our house.

We then went to work on peabody and worked on him till Harry lied so on Steve to Bill as Harry wanted to work alone, so Steve quit and went to Park City, Utah. From there Bill H. gave my wife \$40. for me and fixed my Union card a year ahead when I quit Denver. I quit because relief was shut off. From park City I wrote to my Uncle Warren and he telegraphed for me and my wife to come to him in Baker City, Oregon. I went and when I got there I sent for my wife. I staid there then until I was arrested and taken to Boise penitentiary for safe keeping. Steve told them (referring to the people in the penitentiary) Bill Haywood sent him and Ed Minster to go to Jackson California so if any of the mining managers balked any to put them out of commission and they went under the name of Steve Brown and Edward Lee.

Coming back to Denver they got pinched at Ogden and thrown in jail for breaking the wire on a freight train. The Chief of Police was a brother mason and got them out and loaned Steve \$5.00. (He wired to Bill H. for money in his own name. Bill telegraphed him \$75.) (This is true). Detective Theile looked this up and has the receipts to show where he got the money from Haywood.

Also when he was arrested in Denver charged with stealing bike, Pettibone went Steves bond for \$500. The detectives have looked this up also. They have Steves automatic No. 4247. I believe Pettibone bought for him. When he got arrested he laid it in the locker and the police found it, and the detectives made him give it up as I heard Theile say to Steve they had it for him. They also have his shot gun.

WHAT HAPPENED AFTER STEVER WAS ARRESTED IN BAKER CITY, OREGON.

On the evening of Feby. 1906, a detective by the name of S.C. Theile, Sheriff Brown and Col. Pauting came out to our ranch from Haines Oregon and arrested Steve and took him to Baker City. Brown told him if he would do what those fellows wanted at Boise wanted him to he would come out all right, and told him he was going to take him down to see Harry Orchard at Boise, and next morning about ten o'clock took him to Boise, Idaho and placed him immediately in the cell with Harry Orchard.

No body came near Steve for a few days, but Harry kept telling Steve if he would not make a confession to corroborate his they, Gooding and Mcparland, were going to turn him over to Cripple Creek officers. He, Orchard, told Steve he confessed to blowing up the Independence depot himself and implicated Steve as a party that helped him. He told Steve he would be sure to be hung without any process of law whatever as he would be mobed. Every day though Whitney or his deputy J.C. Mills would come and take Harry out and say as an excuse that Harry was being turned out a while for exercise but they were taking Harry out and seeing what he could do with Steve as Harry told us so afterwards. After Steve was there four days Whitney himself came in and took Steve out to his office and gave Steve a good talking to. He told Steve if he would only corroborate Orchard's confession he would never be sorry for it.

He also said he would see his family was taken the very best care of it. Steve thanked him as nicely as he could for the talk but also told him he did not know anything to tell at that time especially, so the very nexy day McParland came up, gave him the same talk that Whitney had given him. Steve told him that he did not know anything about Orchard's confession at all. He then told Steve he could either do one thing or another; he could corroborate Orchard's confession and he would get commuted of any crime he implicated himself in and he would see he would get a good bunch of money besides. or he would have him turned over to a mob in Cripple Creek that would hang him. He gave Steve a good talking to and then Steve told him he did not have anything to say at all. McParland said all right but he should think it all over as the next day was the last day they could hold him there and he should consider it well and he would come up the next morning himself again. Steve kept waiting for one of the lawyers for the defense to appear to his assistance but none showed up at all, furthermore Steve got one Moore of Baker City to help him out. He sent for him the morning he was being taken out of Baker City, told him plainly as he could to look at the extradition papers, and if they were not right in every way he would stay right where he was and fight them, but Moore looked at some papers and told him as his adviser it was best to go. He said so far as he could see they were all right. So Steve went. I went to town the next day as the Sheriff and officers that took Steve said if I came to town I could see him, but when I got there Steve was gone. So I went directly to a cousin of Uncle Warrens, Meade Bond and got him to get Moore to go to Boise and see Steve. As soon as Moore got there, before he even tried to see Steve he went to Governor Gooding and the attorneys for the prosecution of the men. The attorneys and Governor Gooding gave Moore \$100. besides he got his wages, because Theile said to us, Steve and I, when Moore came down and wanted his wages, the State paid him but said they didn't know what he wanted as they had given him \$100. when he started to Colorado. Hawley and Borah told Steve and I it was far better to pay him for fear he would get mad and they did not want the defense to get hold of him. Moore came to Steve and had a talk with him. Told him also Governor Gooding told him if he did not do what he wanted him to he would have him hung. He said Governor Gooding said to him he would commute him of any crime also he might implicate himself in and while Moore was away they got Steve to make out a confession corroborating Orchard. McParland had a piece of paper in his hands with things on that were in the confession of Orchard and had Steve Corroborate it that way.

They just thought they had poor Steve completely under their thumbs and knew if I knew it and could help it I would try and make Steve recall what he had did, so they got Steve to write a letter telling me to please come on down to him with bearer, who was C.S. Theile also as he wanted to see me, told me to come immediately if possible. So instead of Theile taking me to Baker City or Haines he had Willis Lillard drive us up a distance of 22 miles from Baker City and then come back to Baker by rail. He wanted, he said, to take the train at North Powder and to go to Union a town a distance farther away still from Boise. He said so if any one wanted to try to follow me and the children they would think we went to Spokane or that way, but the train that went that way that should have come through North Powder first was away late and we could not go. The lady that runs the hotel at North Powder, a Mrs. Goldsworthy by name (Theile said from Ophir Colo.) came up and asked me two or three times to come up stairs to her parlor with her, but Theile told me I had not better go, so I was afraid to, so when we got on the train he told me he had sent a cipher telegram to Governor Gooding, as the lawyers he was afraid would be away from their offices, telling him as had been pre-arranged to have them meet me at Nampa, everything all right. He told me this party (who was

none other than George Heidner) the book-keeper at the pen would meet me as he had said in a telegram I was Mrs. Fuller. This party would address me as such. He explained to me saying he thought it would be better for me to change my name when I met Mr. George Heidner. He tipped his hat to me first. Theile said he would have taken me all the way to Boise but as there were so many people that knew him so he thought this was the safest way to get me there without the public knowing it. After we left Huntington Theile never spoke to me at all. He sat back in the car and George Heidner followed me in the waiting room and just merely passed the time as best he could. Most of the time he was looking out of the window. He said also they were trying to slip me into Boise secretly. Theile told me they had gotten me a home with this George Heidner's mother. When we arrived George hurriedly got me in a cab that was waiting for us pre-arranged as he said to cab man "Is this No 4?" and cab man said it was and then George got in with me. He said he would see that I could go out and see Steve as I sure wanted to do so. That afternoon George came in and took me out to the Pen in the pen rig. George first introduced me as deputy Mills as Mrs. Fuller and then we went back into the inner office and there was the Warden. George also called me Mrs. Fuller to him. Whitney then had George go out and he gave me a sound talking to in as nice a way as he could. Told me plainly that Steve had been through a whole lot in his few days there and for me to be very careful and not to do anything to discourage him. He said to cheer him all I could. He told me Steve had done the only thing that would save his neck at all, so I told him all right but wanted to see Steve. He then went and brought Steve in to where I was and he Steve, then broke down and cried to me like a baby. He told me he hated to do what he had did, but he did the only thing he could have done. He told me they told him if he had not he would have been turned over to Gripple Creek and hung so high salt peter would not save him. He also told me he was positive he had been doped in the coffee, because he said he was as near crazy as a man could get. He has always told me plainly to not let doctors give him dope if he was ever sick as he lost his head completely. He has told me since that he was out to the pen the last time that he thought he had been doped again as he felt the same way. He told me at the pen the first time he would get commuted of any crime he and Richard had implicated themselves in. He said all Gooding and McParland wanted was to hand Moyer, Haywood and Pettibone. I then asked Steve what they intended to do with St. John as he told me he would never go back to Colorado, and he said they were not after him so much. I then went back to town to Mrs. Heubner's house but in a week or so Whitney told me they had considered it best to fix up a nice place for us out at the pen. He told me the defense were hunting for me and he said they would get somebody to put me out of the way and they thought best to fix up the old Warden's residence and let me live there. So Steve said he did not want me to ever have a key turned on me, ~~xxx~~ said he would rather hang any minute or have his throat cut than to ever drag me any lower than he did, so then Whitney came up town and begged me to go out and tell Steve I would come out all right, but it was to be understood I never was to be locked up, and I could come and go as I wished to, so that was the arrangement I went to the pen under. Steve was to be left over with me day times but he locked up for fear some body might sneak up and kill him and he was so valuable a witness to the state. Whitney when he was getting me to go to the pen told me as an inducement that Governor Gooding and the attorneys had talked it over and they would take it as a favor if I would go out and cook for the boys, Steve and Harry, as they were afraid they would get poisoned. He said "You cant trust a convict an inch behind your back, and maybe the defense would get to somebody around there or the barn and offer one of them a bunch of money to poison them" so of course I knew nothing about the defense and went to cook for my husband. What woman would not that thought a lot of her husband/ would not do the same thing, but also before I moved the following Sunday after I arrived in Boise, George Huebner came

down here and with him was detective McParland. He said he supposed Steve told me what he would like to have me do for him, helping on dates etc. I simply told him I knew nothing at all but I had a couple of books that might help him some, one being the red book of the Mine Owners Association and the reply of the W.F.M. He said all right they were just the things he wanted. He told me plainly that he would take the dates and references from them as I suppose he did. He then asked me for Joe Mihelichs picture, Jack Simpkins, Art Bastons and Ed Ministers. Steve had told me in the letter to bring the pictures and his union card. I gave him those. He has never returned Art Bastons, Ed Ministers or the Ex Boards pictures. I made him promise he would return them to me but he failed to these. He then asked me to tell what I knew or what rather Steve told me to. I only told McParland about \$100. Pettibone went to the Express office and identified me in Denver so I could draw this back. I told him I could not never say Pettibone sent this to me in a one John Deering name was signed to the express order. He said "Oh he would fix that part of it all right" and then he asked me if I could not remember of any more, as all the rest I got was pure and simply relief as I never got over \$10. or \$12. at a time This is all I swear I ever told McParland. I told him this was all I ever knew and furthermore I never wanted to be put on the stand and he said all right. I then moved out to the pen.

Then on the 28th of March, Steve with Theile, McParland, Gooding, Whitney and Guard Rube Robbins and Reporter Crane, went to Pocatello to try and find some hell fire. They failed to find it and started back when Theile asked Steve where he stopped when there and Steve told him at _____ house and Theile went there and found the register and found the name Steve went under while there (John Ward) When we were about ready to start back some fellow _____ came in and told us where we could find a fellow that knew all about the place as it was then as everything was changed. Theile said he kept this register with his name in it. While Steve was gone to Pocatello, Uncle Warren accompanied by Moore, his legal adviser, came down to see Steve. Steve was gone so Uncle Warren asked for me. He then asked me before Moore and deputy Mills if we did not think he could give bonds for Steve. He said he could raise a million dollar bonds if necessary. He said he hated to think of any of his relations in such a place as that. I also heard Uncle Warren ask Warden Whitney the very same question, but they always put him off with some excuse telling him once to my knowledge as an excuse saying: "Why the defense would kill him if they got a chance" and Uncle Warren said if he got him out of there he would not be afraid, he said he and Willis would stand by him and help him if necessary. He said if that was their only excuse they need not worry about him on that excuse, he said give give the boy his freedom that is all I want and I will see that he is here when you want him, but no sir he could not. Then on the following last of April or first of May Moore came down again alone. He said Uncle Warren was not feeling very good. He brought with him two papers, one for me and one for Steve to sign in regard to water for our land. While he was there in my presence I heard Steve say to Moore. What were the chances for him to give bail and go back to the ranch till time for the trials. Moore said "Steve it is just like this, I want to Colorado and to Governor Gooding. He said I have nothing for you either here here in Idaho or Colorado for any crime you may have implicated yourself in in your confession." Steve then told him as there were no indictments against him for any offense he didn't see why he could not go. Moore said Steve I know you have no indictment against you, but if you were to try and get out they would put you under one, and he said you better not try and buck these people (Meaning the state) as he said they intend to do the right thing by you. He said all the people of the state want is Moyer, Haywood and Pettibone, but he says Steve, I will talk to these people and see what I can do for you. "

Then the next thing was when they took Steve to Colorado.

First ~~James~~ Mills with a rig drove Steve from the pen in the pen rig out and started out toward Boise. Between Boise and the pen he was met by Theile and Gene Johnson. Gene Johnson drove and Theile and Steve rode in back seat to a side track or station called Orchard. Buckley Wells, Runnells and Mills were there to take him. They went to Colorado to look for parneys body but failed to find any trace of it. Steve staid while there at the Smuggler Union office in pandora. He was guarded night and day. Nights a guard set up in the room, never left him alone a minute while there. He was then brought back to Boise by Wells and Mills.

In August Joe came up to Boise to see Steve. He had an awful time as he was there three days before he was allowed in at all. Joe asked Whitney why he could not see him and he would not hear to it. He said they did not want any body to know where I was.

In June I told Whitney I wanted to go to town and get some clothes and he said he would see about it. So Theile came out that evening and he gave Whitney \$20. to give to me but he says, Mrs. Adams I believe it better for you to get Mrs. Whitney or her daughters to do your shopping. He said the defense were looking for me every where. He said they even had a woman looking for me in Boise. He said she was working as a waiter. That they had her spotted and had a spotter watching her. He said I better not go. Whitney said the same thing. I only had got to ever leave the pen once and I asked to go to town directly after I went there and Stella Whitney went with me. We were only a few minutes in town, so this is how I came and went as I pleased. Mrs. Mahoney when she was there wrote a note asking to see me. I fairly begged to see her. I told Whitney, Borah and Hawley I wanted to see her but no sir, I could not I had to do as they said. I told Borah and Hawley a few things in regard to the confession in June after they had been up and been up to try and get me to say something. I told Steve I knew nothing to tell so Steve told them. He just begged for them to keep me off the stand. They said no it would be so much better. He said my word to anything would have so much weight. They told Steve to go over what he had confessed to and to try to get me to help him. They came up once and Steve told them he had no chance as he never was over there only when the women prisoners were and he would not talk about his confessions then. So Hawley and Borah said they would go down and talk with the Governor and try and fix it so Steve would come over and stay where I was nights, and all the time, so they went to town and the next morning when Whitney went to town they told him it awas all right to let Steve come over so they did.

Before Steve went to Colorado he wrote me out his confession word for word. He also wrote a note denying it all saying as how he was forced into doing it all. Told me to keep it and if anything happened to him while away I would have it. He signed and dated this for me but before I left the pen I burned these all up as Uncle Warren told me to burn all papers and letters so I did.

So I studied, read and re-read Steves confession. When he got back Borah and Hawley came three days in succession trying to get Steve to have me come over, so the third day with Steve I went over. I told them what I did McParland. He said if all the crimes Steve had implicated himself into I would just say he was out or he was away. In regard to Tylers muder he said to say he was in the Couer d'Alenes. Steve did nearly all of my talking for me but before I started in I absolutely refused to sign my name.

Mrs. Whitney would say lots of times, and her sister too "They could not see why the state was holding me, only they were protecting me for fear the defense would kill me if I were out and I told them I was not afraid of them. Borah and Hawley told me they

would hunt me up a 1904 calendar for me so I could tell how long Steve was up here in the Cauer D'Alenes. I told them he was to Goldfield and back October 18th from the Cauer d'Alenes. He came back to Denver staid about two weeks and got back October 18th. I knew as I kept a memorandum of it and I knew that date.
The next Uncle Warren came to our rescue Sept. 6th, 1906.

HARRY ORCHARDS Confession as near as I know.

The confession everybody was arrested on was after thrown or laid away or Hawley and Borah had him write out a new one or one he could commit to memory as the one he gave to McParland was so much of it hear say evidence that he could not repeat it the second time anything at all like the first one. He was a wk. or over writing the last one.

The first thing he said he ever did was when he went to Sherman Parker he told Sherman he would do something if he would get him a helper Sherman told him of Billy Aikman and Sherman Parker told him he would get a bunch of money if he would fix a cage of scabs at the Vindicator Mine He first got Joe Craig his bro. in law to help him but he said he Craig got afraid and quit then he Billy Aikman and Bill Gaffney did the work.

The next thing was the Gregory Case (This was before Gregory job though.)

The next he told about he and Pettibone was in an alley in Denver the night Moyer was being taken back to Telluride he said they were going to shoot Rutan Sheriff of San Miguel Co. but he had two deputies in front of him 2 behind of him and Moyer I believe walking with him so they had to give that up he said they both had ^{six shooters} ~~shot guns~~ with them ~~take down~~.

The next thing he said was the Independence Depot. disaster he and Steve he went to Denver after with Nevelle Jno. "deceased" in a rig (Orchard and Nevelle) he bought in Cripple Creek from Joe Adams. When he got to Denver He (Orchard) went to Pettibones Store at 1725 Stout Street he (Orchard) got him to buy him his auto No. 4356. and his rifle Savage he said Pettibone bought shot gun before he got \$400. at that time of Haywood and he and Nevelle went one to Wyoming at Cody he got a letter from Pettibone and Haywood to come back to Denver quietly which he did they then gave him money to go to California to kill Bradley which he attempted he implicated a Sec. of the union there as an implicator he said he

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drew money Pettibone sent to him under the name of Pat Bone from Haywood, he said the Sec. got it for him his name was Huff. he (Orchard) said he (Orchard) went under the name of Berry and Green while there, San Francisco

he also said Pettibone sent a money order to him he said he had a time getting it there, which I believe Detectives followed up the Clue and found where he got the money ^{all right} straight.

he (Orchard) then came back to Denver he got a soldiers suit from some of the soldiers there (San Francisco) and wore to Denver on the train. When he got to Denver he went to a lodging house and telephoned to Pettibone to come to where he was which he did taking Steve with him .

He (Orchard) then came home with Steve and boarded at our house till the following April when he lied about Steve and left.

He (Orchard) said he and Steve were to try and get either Goddard, Gabbert, Peabody, with shot guns if possible.

After Steve quit he said he got ^{Nick} ~~Joe~~ Kakach an ^{Australian} Italian that Max Malich knows well and then he and ^{Nick} ~~Joe~~ Kakach worked on them (G ^{odard} ~~odard~~ J. Goddard ^{Peabody}) afterwards they tried to get Goddard with the bomb but it failed to go off he left it buried and Buckley Wells afterward dug it up and they have it as evidence against the boys (Moyer, Haywood and Pettibone) now he told where he got the case for bomb at Roaches plumbing store.

In May when the W.F.M. met in Salt Lake City He (Orchard) and ^{Nick} ~~Joe~~ K. went after Gabbert they fixed a bomb or nitro glycerine which ever it was and tied a pocket book to it when he saw Gabbert coming down the street they fixed it for him, he (Orchard) got on a wheel and rode down the street a ways he saw Gabbert pass this pocket ^{book} et, he started to go back and gather it up to take away when a man by the name of Marion "I Believe" came along and picked it up causing his death.

he (Orchard) said also that he Steve and Billy Aikman all worked on Peabody there to use bomb shot gun or anything on him he

page 2

also implicated Joe Mihelich he also implicated me to here as saying I chawed the bomb out for them and said I walked with Steve along St. to locate Goddard.

He (Orchard) said that he, Steve, & Joe Mihelich stole that powder from the magazine in Denver, buried it under our house 4347 Globiville N Lincoln St. or near the Garden Place School.

He said ~~Sixerxxx~~ Steve afterwards gave Max Malich the powder and caps and fuse.

He said he then came to Idaho for Studenberg (misspelled) and came up and jack Simpkins and he went to Caldwell when they found out Studenberg was out of town so they waited for him to come back. (Steve can tell you more in here) what Harry told him about it he said after he was arrested he waited for a lawyer he told Jack Simpkins told him to get either Miller or his partner of Spokane if he got caught there as they were good- he said after he got Miller he didn't think he was any good though he (Orchard) had him go to Denver ~~and see Haywood and Meyer and get some money~~ ^{he said he had 1500 in Pettibone's safe} and get some money, he wen and came back with ~~\$1000~~. he said he Miller could give him (Orchard) a \$100, but he (Orchard) would not take it then he told him to get his clothes which he did.

But while Miller was in Denver McParland came up to see him he said McParland gave him a nice talk told him all the evidence the State had against him told him his neck was in the loop and the only thing ^{that the Western did not care for him or anybody else and that} that could possibly do was to cough up which he did.

He told me plainly he was to go scott free and was going to get a good bunch of money ^{from them} he said the first thing he did was to put water between him and the W.F.M.

In the Gregory murder he also implicated ^{man named Foster Milburn} a ~~sweede~~ I believe ~~Steve knows name.~~

he (Orchard) said he afterwards gave Jack Simpkins the Gregory gun which he (Jack) thought a whole lot of ^{this was got from gun other source where goes} Shot gun was No. 635635 ^{not know number.} Take down barrel sawed off 6 in he (Orchard) and Pettibone sawed

this office in the basement of his store 1725 Stout St.

He also told McParland that Miller told him to say he was wealthy or a mining man and it was his money he got to defend himself with as the W.F.M. didn't want any one to know they were paying Miller themselves

He never told McParland his right name last summer he told me he was married before he came here and he had a daughter 12 years old living he also said he never was divorced from his first wife.

He told me in Colo. he killed a man before he came to this country Couer d Alenes I mean where he came from he said he had a cheese factory there leased from his uncle he said he run it awhile got all the insurance he could on it sold all the cheese he could afterwards and then set fire to it he said the way he happened to kill this fellow he was hauling this cheese away nights and this fellow caught him he said this fellow he (Orchard) fired before and he was mad at him because he was too thick with his a woman who was this man's wife he said collected all the insurance beat all the farmers he could out of there money for milk and then he had to skip out as it was beginning to leak out what he had did and the insurance Co. got a warrant out for him and he found this out through friends and skipped out He spoke of Detroit Mich. a whole lot to us (Steve & Ann) and of Penn. I am almost Positive Orchard told me he was born and raised in Penn.

Harry said while he was in Frisco he run out of money playing poker and held up a street car conductor he said he rode out with him to the end of his line nobody was on the car as passengers but him and he stuck him up and got his money he said it was somewhere between \$30. & \$50. he got from him.

Harry told all that was in both confessions and more to I guess in the first statement he made but afterwards made a shorter one he could commit to memory. This was done because the lawyers told him to write it over and condense it so that the lawyers could not tangle him up on it. This is what Orchard said to Steve

Harry also told in his confession about he (Orchard) and Jack Dempsey took a big lump of coal and filled it with powder and threw it in among the coal of the Vindicator mine he said they wanted to try and blow the boiler up he said Jack Dempsey threw this in among the coal but the never heard any more of it.

Harry also said in his statement that the firm of Hawkins & Richardson wrote him up a recommendation for an insurance agent in Denver. Pettibone also wrote one and ^{Jim} Sullivan attorney wrote one in Denver he said ^{Hawkins} Richardson said he would write him out one under any old name he had them write up for Tom Hogan his assumed

name. He said that he and Steve, got Al. Miller to buy 100 pounds of powder (he was a leaser) which they used to blow up Ind. depot.

He told them that Steve was implicated in the killing of Collins. He told them Barney was taken out by a bunch of men and killed and implicated it John. He said it John and 2 other fellows killed Smith in hospital and they buried him in the grave yard. He told them that I was the slayer of Powell and Tyler and Jack Simpson, Slover and Marm assisted me.

I gave the substance of the foregoing to John H. Wornum orally. He reduced it to writing and gave it to E. F. Richardson who had it typewritten and brought it to me at the jail in Wallace on Feb. 2nd 1907. when I carefully read and corrected it. The facts stated therein are substantially true but it is a fact that such stated facts are what Orchard stated that he told me Paul and Gooding Borah and Hawley.

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and talked with Coates about stealing Paulson's acid but Coates refused to have anything to do with it. He said he got for dollars say when he went to Caldwell.

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Witness:

E. F. Richardson, S. W. Adams.

this is what I told them

A copy of STEVE ADAMS confession as nearly as I know.

FIRST: Assault on Andy Starks Billy Easterly Sathur Baston and myself.

SECOND: Assault on Jack Robinson.

Sherman Parker, arthur baston Bill Easterly and myself.

THIRD: Martin Gleason murder, Manager of Wild Horse Mine.

Harry Orchard said Ed Minister and Arthur baston did it.

Fourth: Arthur Collins Murder, Manager of Smuggler Union Mine. I did. Ed Minister and Art baston went to do job but failed. Ed had to appear in Court in Cripple Creek so he went home and I and Art baston did it. Vincent St John and ~~O.M. Carpenter~~ paid us \$500. We divided it in halves and Art went to denver and Haywood and Moyer gave him \$1000. He came back to Cripple Creek gave me \$750/ more He then left and went to Idaho near *Winn* meadows I stayed in C. C.

(made statement *to them* me Ed Minister Arthur Baston were working on case and that I did it myself. I said that St John gave Baston \$500. and that Baston gave me one half of it. Later on Baston gave me \$750. at my cabin. I said in my statement that baston secured this money from Haywood.)

FIFTH: Assault took a detective out of a saloon in Independence implicated Ed Minister and myself.

SIXTH: Power Plant at Colorado Springs W. P. Davis and Parker paid us \$200. Wlater ferguson, Dunn Slim Campbell and myself started all quit but Slim and I we did what we could alone Davis went to denver and brought us back \$300. more he stopped off at Colorado Springs and gave it to me on the big R.R. bridge.

SEVENTH: Bill Haywood and M. sent for me to come to Denver I went He wanted me to go to Colorado Springs and get manager McNeil He wanted to try and kidnap him I went back to the Cripple Creek and got Ed Minister and we went down there/ I

Page 1

...
Afterwards ^{Mr P. G. & Brock & Hawley} said if I went through
afterward went back and told them it could not be done. We tried
every way and then we went back to G. C. ^{John Bafferty}

EIGHTH: Assault on Stewart. ^{Ed. Minister} Slim Campbell, ^{Johnny Harris} Sherman Parker
Bill Easterly, and myself.

NINTH: Bill Haywood then sent for me to again come to
Denver by Davis. I went and he and Pettibone sent me to Pocatello
with that Hell Fire or Pettibone dope. They, H & K. heard they
were sending scabs from Courdalene to G. C. by way of Pocatello
and Ogden. I went and watched every train while there but there
was something the matter and they sent the scabs some other way. I
buried the stuff and tore up my grip. I then went to ^{Pelluride} Denver and
~~reported and was sent to Pelluride to try and get some of those bad~~
~~men Meldrum and Runnels or their likes.~~ While there O. M. Carpen-
ter and myself removed what was left of Garneys body. We put his
clothes in one sack and his body in another and buried them,
separated one in one hole and the other sack in the other. We
done this because there were too many people knew where he was
buried. ^{I went to work on Curve station tunnel of Liberty Bell.} I then was married November 12th 03. I went back to
Cripple creek to get a house and get things fixed up for housekeeping
when the Vindicator was blown up. I was arrested and put in Cripple
Creek Jail.

Vincent St John told me that ^{he and 2 others (and not give names)} ~~he and Bob McGinnis~~ killed Westley
Smith. Got him in the Union Hall. He drew a gun on St John and
St John caught the trigger some way and that night sometime he said
they buried him in the grave yard in a grave fresh where somebody
had just been buried lately.

After I got out of jail on \$1500. bonds I stayed in Indepen-
dence at my home until after my case was nolle prossed and then Harry
Orchard and I went to Denver Harry going ahead of me by a few days.

*Orchard gave me this
I had no knowledge of it at all
He said I had 500 dollars in bottles
we buried in a tin can in a hole
some will see and so pretend that
and it showed me a board and board*

*Thinks
Ed. Minister
Johnny Harris
P. A. man
C. A. man
in Denver*

Pettibone came up to see me and Harry right after I got out of jail one Sunday.

When we went to Denver we went after Seaboddy we worked on him for three weeks or over every night. We heard then that Gregory was in Denver, located him in a saloon playing poker. We watched him until night Harry went after his shot gun while I watched him. Pettibone started to go with us but he went back to tell Haywood and Weyer to get where they could prove an alibi if necessary. Harry came back and when Gregory came out of saloon we followed him to the alley where Harry shot him. We run through the alley for a few blocks and then went to our rooms at 38th and Downing Ave. We both then came back to C. C. a few days apart

I then went back home at C. C. and stayed until after the Independence Depot accident when I left again. Harry and I did that. We went back to Denver Bill gave me at Pettibone's store \$200. I gave Pettibone \$100. of it to send to my wife at C. C. which he did but she left before she got it and then he went with her and drew it back. He sent her the money as Johnie Deering sending it (Not his name) I stayed in Denver until June 27th or 28th and then H.P. & M. told me it was getting pretty hot there I had better leave and go up to Jack Simpkins in the Couer D Alenes so I did. Pettibone giving me \$200. more from Bill H. & M. Pettibone bought my guns a shot gun and an automatic 38 Cotts from me. He also bought Harry's.

When I got up in Idaho I went to Jack and Jack and the settlers there told me their troubles and we went after the jumpers, Mason Glover and myself got Tyler, later Jack Simpkins Glover, the Sweede man and myself got Bouley.

Jack and I were waiting for money to come from Denver to go after Steunenberg but it was so long in coming that I got a letter from my wife in Denver to come home which I did, but when I got to

This is a fact.

I told them also that he came out to my house and gave me some money (\$200) in the name of my wife.

another

Denver I met Bill H. and Pettibone and Bill told me he had sent the money to Ed Boyce but I failed to get it.

Harry went to San Francisco after Bradley he said. He came back to Denver and came to our house.

We then went to work on Peabody and worked on him till Harry lied so on Steve to Bill as Harry wanted to work alone so Steve quit and went to Park City Utah. From there Bill H. gave my wife \$40. for me and fixed my union card a year ahead when I quit in Denver. *I quit because retires was shut off.* From Park City I wrote to my Uncle Warren and he telegraphed for me and my wife to come to him in Baker City Oregon. I went and when I got there I sent for my wife I stayed there then until I was arrested and taken to Boise penitentiary for safe keeping. Steve told them (referring to the people in the penitentiary) Bill Haywood sent him and Ed Minister to go Jackson California so if any of the mining managers balked any to put them out of commission. *and they went under the name of Steve Brown and Edward Lee* Coming back to Denver they got pinched at Ogden and thrown in jail. *for taking this man on a freight train* The Sheriff was a brother Mason and got them out and loaned Steve ~~money~~ \$5.00. *in his right name* He wired to Bill H. for money Bill telegraphed him \$75.00. Detective Theile looked this up and have got the receipts to show where he got the money from Haywood.

This is true
Also when he was arrested in Denver *charged with stealing bike* Pettibone went Steves bond for \$200. The detectives have looked this up also. They have Steves automatic No. 4347. I believe Pettibone bought for him. When he got arrested he laid it in the locker and the police found it and the detectives made him give it up as I heard Theile say to Steve they had it for him. They also have his shot gun.

Page 4/

WHAT happened after Steve was arrested in Baker City Oregon.

On the evening of Feby, _____ 1906, a detective by the name of C.S. Thelle Sheriff Brown and Col. Pauting came out to our ranch from Haines Oregon, and arrested Steve and took him to Baker City and next morning about 10 o'clock took him to Boise, Idaho and placed him immediately in the cell with Harry Orchard.

No body came near Steve for a few days but Harry kept telling Steve if he would not make a confession to corroborate his they, Gooding and McParland were going to turn him over to Cripple Creek officers. He, Orchard, told Steve he confessed to blowing up the Independence depot himself and implicated Steve as a party that helped him. He told Steve he would be sure to be hung without any process of law whatever as he would be mobbed. Every day through Whitney or his Deputy J. C. Mills would come and take Harry out and say as an excuse that Harry was being turned out a while for exercise but they were taking Harry out and seeing what he could do with Steve as Harry told us so afterwards. After Steve was there four days Whitney himself came in and took Steve out in his office and give Steve a good talking to. He told Steve if he would only corroborate Orchard's confession he would never be sorry of it. He also said he would see that his family would be taken the very best of care of. Steve thanked him as nicely as he could for the talk but also told him he did not know anything to tell at that time especially so the very next day McParland came up, gave him the same talk that Whitney had given him. Steve told him that he did not know anything about Orchard's confession at all. He then told Steve he could either do one thing or another he could corroborate Orchard's confession and he would get commuted of any crime he implicated himself in and he would see he would get a good bunch of moneys besides, or he would have him turned over to a mob in Vripple Creek that would hang him ~~so high salt water would never save him.~~ He gave Steve a good talking to then and Steve told him he did not have anything at all to say. McParland said all right,

mentioned him to he would come out all right

but he should think it all over as the next day was the last day they could hold him there and he should consider it well and he would come up the next morning again. Steve kept waiting for one of the lawyers for the defense to appear to his assistance but none showed up at all, furthermore Steve got one Moore of Baker City to help him out. He sent for him the morning he was being taken out of Baker City, told him plainly as he could to look at the extradition papers and if they were not right in every way he would stay right where he was and fight them, but Moore looked at some papers and told him as his adviser it was best to go. He said so far as he could see they were all right. So Steve went . I went to town the next day as the Sheriff and officers that took Steve said if I came to town I could see him, but when I got there Steve was gone, so I went straight to a cousin of Uncle Warrens by name of Meade Bond and got him to get Moore and go to Boise and see Steve As soon as Moore got there before he even tried to see Steve he went to see Governor Gooding and the attorneys for the prosecution of the man. The Attorneys and Governor Gooding gave Moore \$100. besides he got his wages, because Thelle said to us, Steve and I, when Moore came down and wanted his money as wages the State paid him but said they didn't know what he wanted as they had given him \$100. when he started to Colorado. Hawley and Berah told Steve and I it was far better to pay him for fear he would get mad and they did not want the defense to get hold of him. Moore came to Steve and had a talk with him. Told him also Governor Gooding told him if he did not do what he wanted him to he would have him hung. He said Governor Gooding said to him he would immune him of any crime also he might implicate himself in and while Moore was away they got Steve to make out a confession corroborating orchard. McFarland had a piece of paper in his hands with things on that were in the confession of orchard and had Steve corroborate it that way.

Then they just simply thought they had poor Steve completely under their thumbs and knew if I knew it and could help it I would try and make Steve recall what he had did, so they got Steve to write a letter telling ^{to please} me please come on down to him with bearer

Archives

Page 6

*Mud-
Bond
Baker City
He accom-
panied Moore
see note book.*

who was C.S. Theile also as he wanted to see me told me to come immediately if possible so instead of Theile taking me to Baker City or Haines he had Willis Lillard drive us up a distance of 22 miles from Baker City and then come back to Baker by rail. He wanted he said to take the train at North Powder and go to Union a distance farther away still from Boise. He said so if any one wanted to try and follow me and children they would think we went to Spokane or that way but the train that went that way that should have come through North Powder first was away late and we could not go. The lady that runs the hotel at North Powder a Mrs. Goldsworthy by name (Theile said from Ophir, Colorado) came up and asked me two or three times to come up stairs to her parlor with her, but Theile told me I had not better go, as I was afraid to, so when we got on the train he told me he had sent a cipher telegram to Governor Gooding as the lawyers he was afraid would be away from their offices, telling him as had been pre-arranged to have them meet me at Hampa everything is all right. He told me this party (who was none other than George Heidner) the book keeper at the pen § would meet me as he had said in telegram I was Mrs. Fuller This party would address me as such. He explained to me saying it would be better they thought for me to change my name when I met Mr. George Heidner, he tipped his hat to me first. Theile said he would have taken me all the way to Boise but as there were so many people that knew him so they thought this was the safest way to get me there without the public knowing it. After we left Huntington Theile never spoke to me at all. He sat back in the car and George Heidner followed me in the waiting room and just merely passed the time as best he could. Most of the time he was looking out of the window. He said also they were trying to slip me into Boise secretly. Theile told me they had got me a home with this George Heidner's mother. When we arrived George hurriedly got me in a cab that was waiting for us pre-arranged as he said to cab man is this No.4, and cab man said it was and then George got in with me.

He said he would see that I could go out and see Steve as I told him I sure wanted to do so. That afternoon George came in and took me out to the pen with the pen rig. George first introduced me as Mrs. Fuller to Deputy Mills and then we went back in the inner office and there was the warden. George also called me Mrs. Fuller to him. Whitney then had George go out and he gave me a good sound talking to in as nice a way as he could. Told me plainly that Steve had been through a whole lot in his few days there and for me to be very careful and not to do anything to discourage him. He said to cheer him all I could at all. He told me Steve had did the only thing that would have saved his neck at all, so I told him all right but I wanted to see Steve. He then went and brought Steve in to where I was and he Steve then broke down and cried to me like a baby. He told me he hated to what he had did, but he did the only thing that he could have done. He told me they told him if he had not he would have been turned over to Cripple Creek and hung so high salt pater wouldn't save him. He also told me that he was positive he had been doped in the coffee because he said he was as near crazy as a man could get. He has always told me plainly to not let doctors give him dope if he was ever sick as he lost his head completley. He has told me since he was out to the pen this last time that he thought he had been doped again as he felt the same way. He told me at the pen the first time he would get commuted of any crime he and Orchard had implicated themselves in. He said all Gooding and Meparland wanted was to hang Moyer, Haywood and Pettibone I then asked Steve what they intended to do with St John as he told me he would never go back to Colorado and he said they were not after him so much. I then went back to town to Mrs. Heubenirs house but in a week or so Whitney told me they had considered it best to fix up a nice place for us out at the pen. He told me the defense were hunting for me and he said they would get somebody to put me out and they thought best to fix up the old Wardens residence and let me live there. So Steve said he did not want me to ever have a key turned on me, said he would rather hang any minute or have his throat cut than to ever drag me any lower than he did, so then

said he did not
Whitney came up town and begged me to go out and tell Steve I would come out all right, but it was to be understood I was never to be locked up, and I could come and go as I wished to, so that was the arrangement, I went to the pen under. Steve was to be left over with me day times but locked up for fear somebody might sneak up and kill him and he was so valuable a witness to the state Whitney when he was getting me to go to the pen told me as an inducement that Governor Gooding and the attorneys had talked it over and they would take it as a favor if I would go out and cook for the boys, Steve and Harry as they were afraid they would get poisoned. He said "you cant trust a convict an inch behind your back, and maybe the defense would get to somebody around there or the barn and offer one of them a bunch of money to poison them" so of course I knew nothing about the defense and went to cook for my husband. What woman would not that thought a lot of her husband would not do the same thing, but also before I moved the following Sunday after I arrived in Boise George Huebner came down home and with him was Detective McFarland. He said he supposed Steve had told me what he would like to have me do for him, helping on dates etc. I simply told him I knew nothing at all but I had a couple of books that might help him some, one being the red book of the M.O.

Association and the reply of the W.F. of M. He said all right they were just the things he wanted. He told me plainly he would take the dates and references from them as I suppose he did. He then asked me for Joe Mihelichs picture, Jack Simpkins, Art Bastons and Ed Ministers. Steve had told me in the letter to bring the pictures and his Union cards. I gave him these. He has never returned Art Bastons, Ed. Ministers or the Ex Boards pictures. I made him promise me he would return them to me but he failed to these. He then asked me to tell him what I knew or what rather Steve told me to. I only told McFarland about a \$100. Pettibone went to the Express office and identified me in Denver so I could draw this

back. I told him I could not never say Pettibone sent this to me in a one John Deerings name was signed to the express order. He said Oh he would fix that part of it all right and then he asked me if I could not remember of any more and I told him no as all the rest I got was pure and simply relief as I never got over \$10. or \$12. at a time. This is all I swear I ever told McParland. I told him this was all I ever knew and furthermore I never wanted to be put on the stand and he said all right. I then moved out to the pen.

Then on the 28th of March Steve with Theile, McParland, Gooding Whitney and Gaurd Rube ^{and Reporter *Terane*} Robbins went to Pocatello to try and find some Hell Fire. ~~They~~ failed to find it and started back when Theile asked Steve where he stopped when there and Steve told him at _____ house and Theile went there found the register and found the name Steve went under while there (John Ward). When we were about ready to start back some fellow _____ came in and told us where we could find a fellow that knew all about the place as it was thenas everything was changed. Theile said he kept this register with his name in it. While Steve was gone to pocatello Uncle Warren accompanied by Moore, his legal adviser, came down to see Steve. Steve was gone so Uncle Warren asked for me. He then asked me before Moore and deputy Mills if we did not think he could give bonds for Steve he said he could raise a 1,000,000,000 bonds if necessary He said he hated to think of any of his relation in such a place as that. I also heard Uncle Warren ask Whitney the very same question. but they always put him off with some excuse telling him once to my knowledge as an excuse saying: "Why the defense would kill him if they got a chance" and Uncle Warren said if he got him out of there he would not be afraid he said he and Willis would stand by him and help him if necessary. He said if that was their only excuse they need not worry about him on that excuse he said give the boy his freedom that is all I want and I will see that he is here when you want him, but no sir he couldn't. Then on the following last of April or first of May Moore came down again alone. He said

papers, one for me and one for Steve to sign in regards to water for our land. While he was there in my presence I heard Steve say to Moore. What were the chances for him to give bond and for him to go back to the ranch till time for trials. Moore said "Steve it is just like this, I want to Colorado and to Governor Gooding. He said I have nothing for you either here in Idaho or Colorado for any crime you may have implicated yourself in in your confession". Steve then told him as there were no indictments against him for any offense he didn't see why he could not go. Moore said Steve I know you have no indictment against you nor I dont want them to have one against you, but if you were to try and get out they would put you under one and he said you better not try and buck these people (me aning the State) as he said they intend to do the right thing by you. He said All the poeple of the State want is Moyer, Haywood and Pettibone, but he says Steve, I will talk to these people and see what I can do for you."

Then the next thing was when they took Steve to Colorado. First Mills with a rig drove Steve from the pen in the pen rig out and started out toward Boise. Between Boise and the pen he was met by Theile and Gene Johnson. Gene Johnson drove and Theile and Steve rode in back seat to a side track or station called Orchard Buckley Wells, ^{Pearns} Meldrum and Mills were there to take him. They went to Colorado to look for barneys body but failed to find any trace of it. Steve stayed while there at the Smugglers Union office in Pandora. He was guarded night and day. Nights a guard set up in the room, never left him alone a minute while there. He was then brought back to Boise by Wells and Mills.

In August Joe came up to Boise to see Steve. He had an awful time as he was there three days before he was allowed in at all. Joe asked Whitney why he could not see him and he would not hear to it. He said they did not want anybody to know where I was.

In June I told Whitney I wanted to go to town and get some clothes and he said he would see about it. So Theile came out that evening and he gave Whitney \$20. to give to me but he says "Mrs. Adams I believe it better for you to get Mrs. Whitney or her daughters to do your shopping. He said the defense were looking for me everywhere. He said they even had a woman looking for me in Boise. He said she is working as a waiter. That they had her spotted and had a spotter watching her. He said I better not go. Whitney said the same thing. I only had got to ever leave the pen once and I asked to go to town directly after I went there and Stella Whitney went with me. We were only a few minutes in town so this is how I came and went as I pleased. Mrs. Mahoney when she was there wrote a note asking to see me. I fairly begged to see her. I told Whitney, Borah and Hawley I wanted to see her but no sir I could not I had to do as they said. I told Hawley and Borah a few things in regard to the confession along in June after they had been up and been up to try and get me to say something. I told Steve I know nothing to tell so Steve told them. He just begged for them to keep me off the stand. They said no it would be so much better. He said my word to anything would have so much weight. They told Steve to go over what he had confessed to and try and get me to help him. they came up once and Steve told them he had no chance as he never was over there only when the women prisoners were and he would not talk about his confessions then. So Hawley and Borah said they would go down and talk with the Governor and try and fix it so Steve would come over and stay where I was nights and all the time, so they went to town and the next morning when Whitney went to town they told him it was all right to let Steve come over so they did.

Before Steve went to Colorado he wrote me out his confession word for word. He also wrote a note denying it all saying as how he was forced into doing it all. Told me to keep it and if anything happened to him while away I would have it. He signed and dated this for me but before I left the pen I burned these all up as Uncle Warren told me to burn up all papers and letters so I did.

Archives

So I studied read and re read Steves confession. When he got back Borah and Hawley came three days in succession trying to get Steve to have me come over so the third day with Steve I went over I told them what I did McParland. He said is all the crimes Steve implicated himself into I would just say he was out or he was away. In regard to Tylers murder he he said to say he was in the Couerd Alenes. Steve did nearly all of my talking for me but before I started in I absolutely refused to ever sign my name to it nor I never did.

Mrs. Whitney would say lots of times and her sister too "they could not see why the state was holding me, only they were protecting me for fear the defense would kill me if I were out and I told them I was not afraid of them? Borah and Hawley told me they would hunt me up a 1904 callendar for me so I could tell how long Steve was up here in the Couer d Alenes. I told them he was to Goldfield and back october 18 from the Couer d Alenes. He came back to Denver stayed about two weeks and got back October 18th. I knew as I kept a memorandum of it and I knew that date.

The next Uncle warren came to our rescue september 6th 1906.

This what I told them
A copy of STEVE ADAMS confession, as nearly as I know.

FIRST: Assault on Andy Starks ^{by} Billy Easterly ~~Arthur~~ Baston and myself.

SECOND: Assault on Jack Robinson.

Sherman Parker, arthur baston Bill Easterly and myself.

THIRD: Martin Gleason murder, Manager of Wild Horse Mine.

Harry Orchard said Ed Minister and Arthur baston did it.

Fourth: Arthur Collins Murder, Manager of Smuggler Union Mine. I did. Ed Minister and Art baston went to do job but failed. Ed had to appear in Court in Cripple Creek so he went home and I and Art baston did it. Vincent St John ~~and G. M. Carpenter~~ paid us \$500. We divided it in halves and Art went to denver and Haywood and Moyer gave him \$1000. He came back to Cripple Creek gave me \$750/ more He then left and went to Idaho near ^{Wesley} ~~meadows~~ I stayed in C. C.

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(made statement, me Ed Minister Arthur Baston were working on case and that I did it myself. I said that St John gave Baston \$500. and that Baston gave me one half of it. Later on Baston gave me \$750. at my cabin. I said in my statement that baston secured this money from Haywood.)

FIFTH: Assault took a detective out of a saloon in Independence implicated Ed Minister and myself.

SIXTH: Power Plant at Colorado Springs W. F. Davis and Parker paid us ²¹ \$200. Wlater ferguson, Dunn Slim Campbell and myself started all quit but Slim and I we did what we could alone Davis went to denver and brought us back \$300. more he stopped off at Colorado Springs and gave it to me on the big R.R. bridge.

SEVENTH: Bill Haywood and M. sent for me to come to Denver I went He wanted me to go to Colorado Springs and get Manager McNeil He wanted to try and kidnap him I went back to the Cripple Creek and got Ed Minister and we went down there/ I

Page 1

(said it would not be said again - but would)

afterward went back and told them it could not be done. We tried every way and then we went back to C. O. ^{Dumont} ^{John Sabo} ^{Ed. Minister} ^{Johnny Harris} ^(I think dead) ^{R.A. man} ^{Wife in Denver}

EIGHTH: Assault on Stewart. Slim Campbell, Sherman Parker ~~Bill Easton~~, and myself.

NINTH: Bill Haywood then sent for me to again come to Denver by Davis. I went and he and Pettibone sent me to Pocatello with that Hell Fire or Pettibone dope. They, H & M. heard they were sending scabs from Courdalene to C. C. by way of Pocatello and Ogden. I went and watched every train while there but there was something the matter and they sent the scabs some other way. I burried the stuff and tore up my grip. I then went to ^{Telluride} Denver and ~~reported and was sent to Telluride to try and get some of these bad~~ ~~men Meidra and Humble or their likes.~~ ~~afterwards I went to Denver and later to Telluride again~~ While there O. M. Carpenter and myself removed what was left of parneys body. We put his clothes in one sack and his body in another and burried them, separated one in one hole and the other sack in the other. We done this because there were too many people knew where he was burried. ^{I went to work in Curr station turned of liberty Bell} I then was married November ~~1913~~ 03. I went back to Cripple creek to get a huse and get things fixed up for housekeeping when the Vindicator was blown up. I was arrested and put in gripple Creek Jail.

Vinoent St John told me that ~~he~~ ^{and 2 others (didn't give names)} and Bob McGinnis killed Westley Smith. Got him in the Union Hall. He drew a gun on St John and St John caught the trigger some way and that night sometime he said they burried him in the grave yard in a grave fresh where somebody had just been burried lately.

After I got out of jail on \$1500. bonds I stayed in Independence at my home until after my case was nolle prossed and then Harry Orchard and I went to Denver Harry going ahead of me by a few days.

Orchard gave me this
I had no money left
at all. He said I had 3
bottles of wine in a
trunk and I had to
take it to the jail
that's all.

Best copy possible -
not original

Pettibone came up to see me and Harry right after I got out of jail one Sunday .

When we went to Denver we went after Seaboddy we worked on him for three weeks or over every night. We heard then that Gregory was in Denver, located him in a saloon playong poker. We watched him until night Harry went after his shot gun while I watched him. Pettibone started to go with us but he went back to tell Haywood and Moyer to get where they could prove an alibi if necessary. Harry came back and when Gregory came out of saloon we followed him to the alley where Harry shot him. We run through the alley for a few blocks and then went to our rooms at 38th and Downing Ave. We both then came back to C. C. a few days apart

I then went back home at C. C. and stayed until after the Independence Depot accident when I left again. Harry and I did that. We went back to Denver Bill gave me at Pettibones store \$200. [I gave Pettibone \$100. ~~of it~~ to send to my wife at C. C. which he did but she left before she got it and then he went with her and drew it back] He sent her the money as Johnie Deering sending it (Not his name) I stayed in Denver until June 27th or 28th and then H.P. & M. told me it was getting pretty hot there I had better leave and go up to Jack Simpkins in the Couer D Alenes so I did. Pettibone giving me \$200. more from Bill H. & M. Pettibone bought my guns a shot gun and an automatic 38 Cotts from me. He also bought Harry's. *I told them also that he came out to my home and gave me some money (200) in presence of my wife*

When I got up in Idaho I went to Jack and Jack and the settlers there told me their troubles and we went after the jumpers, Mason Glover and myself got Tyler, later Jack Simpkins Glover, ~~the Swede~~ *another* man and myself got Bouley.

Jack and I were waiting for money to come from Denver to go after Steunenberg but it was so long in coming that I got a letter from my wife in Denver to come home which I did, but when I got to

Archives

Page 3

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at Boulder Libraries

Denver I met Bill H. and Pettibone and Bill told me he had sent the money to Ed Boyce but I failed to get it.

Harry went to San Francisco after Bradley he said. He came back to Denver and came to our house.

We then went to work on Peabody and worked on him till Harry lied so on Steve to Bill as Harry wanted to work alone so Steve quit and went to Park City Utah. From there Bill H. gave my wife \$40. for me and fixed my union card a year ahead when I quit in Denver. *I quit because relief was shut off*
From Park City I wrote to my Uncle Warren and he telegraphed for me and my wife to come to him in Baker City Oregon. I went and when I got there I sent for my wife I stayed there then until I was arrested and taken to Boise Penitentiary for safe keeping. Steve told them (referring to the people in the penitentiary) Bill Haywood sent him and Ed Minister to go Jackson California so if any of the mining managers balked any to put them out of commission. *and they went under the names of Steve Brown and Edward Lee*

Alvin is true
Coming back to Denver they got pinched at Ogden and thrown in jail. *frustrating their way of getting money*
The Sheriff was a brother mason and got them out and loaned Steve ~~\$200~~ \$5.00. *rich's right name*
He wired to Bill H. for money Bill telegraphed him \$75.00. Detective Theile looked this up and have got the receipts to show where he got the money from Haywood.

Also when he was arrested in Denver *charged with attaining title* Pettibone went Steve's bond for \$200. The detectives have looked this up also. They have Steve's automatic No. 4347. I believe Pettibone bought for him. When he got arrested he laid it in the locker and the police found it and the detectives made him give it up as I heard Theile say to

Steve they had it for him. They also have his shot gun, which he told them he got from Pettibone but as a matter of fact the gun belongs to Richard and Steve kept it when he sent Richard his things from Glenville to Denver because Richard was owing him for board and lodging. *Page 4*
I subscribe this as being the statement I gave them but not as the truth this 2nd day of February, A.D. 1907

Witness

E. F. Richardson

J. W. Adams

Wanted to see how the...
DANIEL I was BILL H. was...
DITTY 1919 we go...
one

WHAT happened after Steve was arrested in Baker City Oregon.

On the evening of Feby. _____ 1906, a detective by the name of
(C.S) Theille Sheriff Brown and Col. Pauting came out to our ranch
from Haines Oregon, and arrested Steve and took him to Baker City
and next morning about 10 o'clock took him to Boise, Idaho and
placed him immediately in the cell with Harry Orchard.

*promised him if he would do what they believe from
at home wanted him to be would come out all right.
told him he was going to take him down to see Harry C. at Boise*

No body came near Steve for a few days but Harry kept telling Steve if he would not make a confession to corroborate his they, Gooding and McParland were going to turn him over to Cripple Creek officers. He, Orchard, told Steve he confessed to blowing up the Independence depot himself and implicated Steve as a party that helped him. He told Steve he would be sure to be hung without any process of law whatever as he would be mobbed. Every day through Whitney or his Deputy J. C. Mills would come and take Harry out and say as an excuse that Harry was being turned out a while for exercise but they were taking Harry out and seeing what he could do with Steve as Harry told us so afterwards. After Steve was there four days Whitney himself came in and took Steve out in his office and give Steve a good talking to. He told Steve if he would only corroborate Orchard's confession he would never be sorry of it. He also said he would see that his family would be taken the very best of care of. Steve thanked him as nicely as he could for the talk but also told him he did not know anything to tell at that time especially so the very next day McParland came up, gave him the same talk that Whitney had given him. Steve told him that he did not know anything about Orchard's confession at all. He then told Steve he could either do one thing or another he could corroborate Orchard's confession and he would get commuted of any crime he implicated himself in and he would see he would get a good bunch of money besides, or he would have him turned over to a mob in Vripple Creek that would hang him so high salt peter would never save him. He gave Steve a good talking to then and Steve told him he did not have anything at all to say. Mcparland said all right,

but he should think it all over as the next day was the last day they could hold him there and he should consider it well and he would come up the next morning again. Steve kept waiting for one of the lawyers for the defense to appear to his assistance but none showed up at all, furthermore Steve got one Moore of Baker City to help him out. He sent for him the morning he was being taken out of Baker City, told him plainly as he could to look at the extradition papers and if they were not right in every way he would stay right where he was and fight them, but Moore looked at some papers and told him as his adviser it was best to go. He said so far as he could see they were all right. So Steve went . I went to town the next day as the Sheriff and officers that took Steve said if I came to town I could see him, but when I got there Steve was gone, so I went straight to a cousin of Uncle Warrens by name of Meade Bond and got him to get Moore and go to Boise and see Steve As soon as Moore got there before he even tried to see Steve he went to see Governor Gooding and the attorneys for the prosecution of the men. The Attorneys and Governor Gooding gave Moore \$100. besides he got his wages, because Theille said to us, Steve and I, when Moore came down and wanted his money as wages the State paid him but said they didn't know what he wanted as they had given him \$100. when he started to Colorado. Hawley and Borah told Steve and I it was far better to pay him for fear he would get mad and they did not want the defense to get hold of him. Moore came to Steve and had a talk with him. Told him also Governor Gooding told him if he did not do what he wanted him to he would have him hung. He said Governor Gooding said to him he would imute him of any crime also he might implicate himself in and while Moore was away they got Steve to make out a confession corroborating orchard. McParland had a piece of paper in his hands with things on that were in the confession of Orchard and had steve corroborate it that way.

Then they just simply thought they had poor Steve completely under their thumbs and knew if I knew it and could help it I would try and make Steve recall what he had did, so they got Steve to write a letter telling mepage please come on down to him with bearer

*used
Bond
Baker City
He accompanied
Moore see
note book*

Page 6

who was C.S.Theile also as he wanted to see me told me to come immediately if possible so instead of Theile taking me to Baker City or Haines he had Willis Lillard drive us up a distance of 22 miles from Baker City and then come back to Baker by rail. He wanted he said to take the train at North Powder and go to Union a distance farther away still from Boise. He said so if any one wanted to try and follow me and children they would think we went to Spokane or that way but the train that went that way that should have come through North Powder first was away late and we could not go. The lady that runs the hotel at North Powder a Mrs. Goldsworthy by name (Theile said from Ophir, Colorado) came up and asked me two or three times to come up stairs to her parlor with her, but Theile told me I had not better go, so I was afraid to, so when we got on the train he told me he had sent a cipher telegram to Governor Gooding as the lawyers he was afraid would be away from their offices, telling him as had been pre-arranged to have them meet me at Nampa everything is all right. He told me this party (who was none other than George Heidner) the book keeper at the pen $\frac{1}{2}$ would meet me as he had said in telegram I was Mrs. Fuller This party would address me as such. He explained to me saying it would be better they thought for me to change my name when I met Mr. George Heidner, he tipped his hat to me first. Theile said he would have taken me all the way to Boise but as there were so many people that knew him so they thought this was the safest way to get me there without the public knowing it. After we left Huntington Theile never spoke to me at all. He sat back in the car and George Heidner followed me in the waiting room and just merely passed the time as best he could. Most of the time he was looking out of the window. He said also they were trying to slip me into Boise secretly. Theile told me they had got me a home with this George Heidner's mother. When we arrived George hurriedly got me in a cab that was waiting for us pre-arranged as he said to cab man is this No.4, and cab man said it was and then George got in with me.

Page 7

He said he would see that I could go out and see Steve as I told him I sure wanted to do so. That afternoon George came in and took me out to the pen with the pen rig. George first introduced me as Mrs. Fuller to Deputy Mills and then we went back in the inner office and there was the warden. George also called me Mrs. Fuller to him. Whitney then had George go out and he gave me a good sound talking to in as nice a way as he could. Told me plainly that Steve had been through a whole lot in his few days there and for me to be very careful and not to do anything to discourage him. He said to cheer him all I could at all. He told me Steve had did the only thing that would have saved his neck at all, so I told him all right but I wanted to see Steve. He then went and brought Steve in to where I was and he Steve then broke down and cried to me like a baby. He told me he hated to what he had did, but he did the only thing that he could have done. He told me they told him if he had not he would have been turned over to Cripple Creek and hung so high salt peter wouldn't save him. He also told me that he was positive he had been doped in the coffee because he said he was as near crazy as a man could get. He has always told me plainly to not let doctors give him dope if he was ever sick as he lost his head completley. He has told me since he was out to the pen this last time that he thought he had been doped again as he felt the same way. He told me at the pen the first time he would get commuted of any crime he and Orchard had implicated themselves in. He said all Gooding and Mcparland wanted was to hang Moyer, Haywood and Pettibone I then asked Steve what they intended to do with St John as he told me he would never go back to Colorado and he said they were not after him so much. I then went back to town to Mrs. Haubenirs house but in a week or so Whitney told me they had considered it best to fix up a nice place for us out at the pen. He told me the defense were hunting for me and he said they would get somebody to put me out and they thought best to fix up the old Wardens residence and let me live there. So Steve said he did not want me to ever have a key turned on me, said he would rather hang any minute or have his throat cut than to ever drag me any lower than he did, so then

said he did not
Whitney came up town and begged me to go out and tell Steve I would come out all right, but it was to be understood I was never to be locked up, and I could come and go as I wished to, so that was the arrangement, I went to the pen under. Steve was to be left over with me day times but locked up for fear somebody might sneak up and kill him and he was so valuable a witness to the state Whitney when he was getting me to go to the pen told me as an inducement that Governor Gooding and the attorneys had talked it over and they would take it as a favor if I would go out and cook for the boys, Steve and Harry as they were afraid they would get poisoned. He said "you cant trust a convict an inch behind your back, and maybe the defense would get to somebody around there or the barn and offer one of them a bunch of money to poison them" so of course I knew nothing about the defense and went to cook for my husband. What woman would not that thought a lot of her husband would not do the same thing, but also before I moved the following Sunday after I arrived in Moise George Huebner came down home and with him was Detective McParland. He said he supposed Steve had told me what he would like to have me do for him, helping on dates etc. I simply told him I knew nothing at all but I had a couple of books that might help him some, one being the red book of the M.O. Association and the reply of the W.F.of M. He said all right they were just the things he wanted. He told me plainly he would take the dates and references from them as I suppose he did. He then asked me for Joe Mihelichs picture, Jack Simpkins, Art Bastons and Ed Ministers. Steve had told me in the letter to bring the pictures and his Union cards. I gave him those. He has never returned Art Bastons, Ed. Ministers or the Ex Boards pictures. I made him promise me he would return them to me but he failed to these. He then asked me to tell him what I knew or what rather Steve told me to. I only told McParland about a \$100. Pettibone went to the Express office and identified me in Denver so I could draw this

page 9

... I could not never say Pettibone sent this to me in a one John Deerings name was signed to the express order. He said Oh he would fix that part of it all right and then he asked me if I could not remember of any more and I told him no as all the rest I got was pure and simply relief as I never got over \$10. or \$12. at a time. This is all I swear I ever told McParland. I told him this was all I ever knew and furthermore I never wanted to be put on the stand and he said all right. I then moved out to the pen.

Then on the 28th of March Steve with Theile, McParland, Gooding Whitney and Gaurd Rube ^{and Reporter Crane} Robbins went to Pocatello to try and find some Hell Fire. *He* failed to find it and started back when Theile asked Steve where he stopped when there and Steve told him at _____ house and Theile went there found the register and found the name Steve went under while there (~~John~~ Ward). When we were about ready to start back some fellow _____ came in and told us where we could find a fellow that knew all about the place as it was then as everything was changed. Theile said he kept this register with his name in it. While Steve was gone to Pocatello Uncle Warren accompanied by Moore, his legal adviser, came down to see Steve.

Steve was gone so Uncle Warren asked for me. He then asked me before Moore and Deputy Mills if we did not think he could give bonds for Steve he said he could raise a 1,000,000,000 bonds if necessary He said he hated to think of any of his relation in such a place as that. I also heard Uncle Warren ask Whitney the very same question. but they always put him off with some excuse telling him once to my knowledge as an excuse saying: "Why the defense would kill him if they got a chance" and Uncle Warren said if he got him out of there he would not be afraid he said he and Willis would stand by him and help him if necessary. He said if that was their only excuse they need not worry about him on that excuse he said give the boy his freedom that is all I want and I will see that he is here when you want him, but no sir he couldn't. Then on the following last of April or first of May Moore came down again alone. He said

Uncle Warren was not feeling very good. He brought with him two papers, one for me and one for Steve to sign in regards to water for our land. While he was there in my presence I heard Steve say to Moore. What were the chances for him to give bond and for him to go

back to the ranch till time for trials. Moore said "Steve it is just like this, I went to Colorado and to Governor Gooding. He said I have nothing for you either here in Idaho or Colorado for any crime you may have implicated yourself in in your confession". Steve then told him as there were no indictments against him for any offense he didn't see why he could not go. Moore said Steve I know you have no indictment against you nor I don't want them to have one against you, but if you were to try and get out they would put you under one and he said you better not try and buck these people (me aning the State) as he said they intend to do the right thing by you. He said All the people of the State want is Moyer, Haywood and Pettibone, but he says Steve, I will talk to these people and see what I can do for you."

Then the next thing was when they took Steve to Colorado. First Mills with a rig drove Steve from the pen in the pen rig out and started out toward Boise. Between Boise and the pen he was met by Theile and Gene Johnson. Gene Johnson drove and Theile and Steve rode in back seat to a side track or station called Orchard Buckley Wells, ^{Rummels} ~~Wells~~ and Mills were there to take him. They went to Colorado to look for Barney's body but failed to find any trace of it. Steve stayed while there at the Smugglers Union office in Pandora. He was guarded night and day. Nights a guard set up in the room, never left him alone a minute while there. He was then brought back to Boise by Wells and Mills.

In August Joe came up to Boise to see Steve. He had an awful time as he was there three days before he was allowed in at all. Joe asked Whitney why ~~he~~ could not see him and he would not hear to it. He said they did not want anybody to know where I was.

Barber one got me and one got Steve to open in 1934 to make for
uncle Warren and not leaving any more.

In June I told Whitney I wanted to go to town and get some clothes and he said he would see about it. So Theile came out that evening and he gave Whitney \$20. to give to me but he says "Mrs. Adams I believe it better for you to get Mrs. Whitney or her daughters to do your shopping. He said the defense were looking for me everywhere. He said they even had a woman looking for me in Boise. He said she is working as a waiter. That they had her spotted and had a spotter watching her. He said I better not go. Whitney said the same thing. I only had got to ever leave the pen once and I asked to go to town directly after I went there and Stella Whitney went with me. We were only a few minutes in town so this is how I came and went as I pleased. Mrs. Mahoney when she was there wrote a note asking to see me. I fairly begged to see her. I told Whitney, Borah and Hawley I wanted to see her but no sir I could not I had to do as they said. I told Hawley and Borah a few things in regard to the confession along in June after they had been up and been up to try and get me to say something. I told Steve I know nothing to tell so Steve told them. He just begged for them to keep me off the stand. They said no it would be so much better. He said my word to anything would have so much weight. They told Steve to go over what he had confessed to and try and get me to help him. they came up once and Steve told them he had no chance as he never was over there only when the women prisoners were and he would not talk about his confessions then. So Hawley and Borah said they would go down and talk with the Governor and try and fix it so Steve would come over and stay where I was nights and all the time, so they went to town and the next morning when Whitney went to town they told him it was all right to let Steve come over so they did.

Before Steve went to Colorado he wrote me out his confession word for word. He also wrote a note denying it all saying as how he was forced into doing it all. Told me to keep it and if anything happened to him while away I would have it. He signed and dated this for me but before I left the pen I burned these all up as Uncle Warren told me to burn up all papers and letters so I did.

So I studied read and re read Steves confession. When he got back Borah and Hawley came three days in succession trying to get Steve to have me come over so the third day with Steve I went over I told them what I did McParland. He said is all the crimes Steve implicated himself into I would just say he was out or he was away. In regard to Tylers muder he he said to say he was in the Couerd Alenes. Steve did nearly all of my talking for me but before I started in I absolutely refused to ever sign my name to it nor I never did.

Mrs. Whitney would say lots of times and her sister too "they could not see why the state was holding me, only they were protecting me for fear the defense would kill me if I were out and I told them I was not afraid of them? Borah and Hawley told me they would hunt me up a 1904 callendar for me so I could tell how long Steve was up here in the Couer d Alenes. I told them he was to Goldfield and back october 18 from the Couer d Alenes. He came back to Denver stayed about two weeks and got back october 18th. I knew as I kept a memorandum of it and I knew that date.

The next Uncle warren came to our resuce september 6th 1906.

Harry Wickham's Confession
as near as I know.

The confession that every body was arrested
on was after thrown ^{or laid} away by Hawley and
Borah had him write out a new one - or one
he could commit to memory - as the one he
gave McParland was so much of it he
say evidence that he could not repeat
it the second time anything at all like the
first one. He was - a wk. or over writing
his last one.

The first thing he said he ever did
was when he went to Sherman Parker he
told Sherman he would do something
if he would get him a helper.

Sherman told him of Billy Aikman and
Sherman Parker told him he would get a
bunch of money if he would fix a
cage of scabs at the Vindicator Mine.
He first got Joe Craig his boss in back
to help him but he said ~~that~~ he ^{was} got afraid.
and quit then he Billy Aikman & Bill
Gaffney did the work.

and no more on of [unclear]

The next thing was the Gregory case.
(this was before Gregory job, though)
The next he told about he and Pettibone
was in an alley in Denver the night
Mayer was being taken back to Telluride
he said they were going to shoot Putan.
Sheriff of San Miguel Co. but he had
2 deputies in front of him 2 behind of him
and ~~was~~ ^{Mayer believe} walking with him. so they had to
give that up he said they both had shot
guns with their take downs.

The next thing he said was the Independence
depot disaster he and Steve he went to
Denver after With Neville Jno. "deceased" in
a sig he bought in C. C. from Joe Adams.
When he got to Denver he went to Pettibone's
store at 1725 Stout Street he got him to
buy him his auto no 4356. and ~~ste his~~
~~shot gun no 6550~~ ^{people saw he said Pettibone brought shotgun before} he and Pettibone he
got \$400.00 at that time of Haywood and

he and Neville went one to Wyoming at
Cody he got a letter from Pettibone and
Haywood to come back to Denver quietly
which he did they then gave him money
to go to California to kill Bradley which he
attempted ~~he then~~ he implicated a Sec.
of the union there is ~~any~~ ^{an} implicated
he said he drew money Pettibone sent to
him "under the name of Pat Bone" from
Haywood, he said the Sec. got it for him
his name was Huff. he said he ~~went~~
went under the name of Berry and Green
while there, Saw Frisco
he also said Pettibone sent a money order
to him he said he had a time getting it
there, which I believe Detectives followed
up the clue. and found where he got the
money alright.

he then came back to Denver he got a
soldier's suit from some of the soldiers
there ^{Saw Frisco} and wore to Denver on the train.

when he got to Denver he went to a
lodging house and telephoned to Pettibone
to come to where he was which he did
taking Steve with him.

He then came home with Steve and
boarded at our house till the following
April, when he hid about Steve and left.

He said he and Steve went to try and
get either Goddard, Gabbert, Peabody,
with Shotguns if possible.

After Steve quit he said he got
Joe Sakach, an Italian that Max
Malich knows, well, - and then he &
Joe K. worked on them ^{H.M.P.} after they tried
to get Goddard with the bomb, but it
failed to go off he left it buried
and Buckley Wells afterward dug it
up and they have it as evidence against
the boys ^{H.M.P.} now he told where he got the ^{case got bought at} Roaches plumbing ^{store}
In May when the N. F. M.

to get Marion off himself at that of looking

Salt
meet in ~~Denver~~ Lake City he and Joe K.
went after Gabbert they fixed a bomb of
Nitro glycerine which ever it was and
tied a pocket book to it when he saw
Gabbert coming down the street they
fixed it ~~instead~~ for him, he ~~was~~ ^{got}
on a ~~bicycle~~ wheel and rode down
the street a ways he saw Gabbert
pass this pocket book. he started to go
back and gather it up to take away
when a man by the name of Marion
"I believe" came along and picked it
up causing his death.

he said also that he Steve, and Billy
Arkman all worked on Peabody there to
using use bomb shot gun or any thing
on him he also implicated Joe Michelich
he also implicated me to here, as saying I threw the bomb
out for them and said I walked with Steve along st to locate yellow
He said that he, Steve, & ^{Joe} Michelich
stole that powder from the magazine
in Denver, ~~burying~~ buried it under one

~~It was a gift. I left it in the
Max Malick~~

house 4347 Globeville N. Lincoln St.
or near the Garden Place School.
He said Steve afterwards gave Max Malick
the powder, and caps. & fuses.

He said he then came to Idaho for
Studenberg ("rispelled") and came up
and Jack Simpskins and he went to
Caldwell when they found out Studenberg
was out of town so they waited for
him to come back.
Steve can tell you more in here) What Harry told
him about it.

he said after he was arrested. he waited
for a lawyer he told Jack Simpskins told
him to get either Miller or his partners of
Spokane if he got caught there as
they were good - he said after he got Miller
he didn't think he was any good though
he had him go to Denver and see
Haywood and Moyer and get some money
he went and came back with \$1000.00
he said he ^{Miller} could give him a \$100.00 but
he would not take it ^{then} he told him
to get his clothes. which he did.

But while Miller was in Denver
McParland came up to see him he
said McParland gave him a nice talk
told him all the evidence the state
had against him told him his neck
was in the loop - and the only thing
that could possibly do was to cough
up which he did.

He told me ~~and~~ plainly he was

to go scott free and was going to get
a good bunch of money he said the
first thing he did was to put water
between him and the U. S. M.

In the Gregory murder he also
implicated a Swede I believe Steve knows
name.

he said he afterwards gave Jack Simpson
the Gregory gun which he thought a whole
lot of slot guns was no 635635 take down
barrel sawed off 5 in he said he and Pettibone
sawed this off in the basement of his store
1725 Stout St.

He also told McArland that Miller told him
to say he was wealthy or a mining man and it
was his money he got to defraud himself with the
U. S. M. didn't want anyone to know they
were paying Miller themselves.

He never told Mr. Parland his right name
last summer he told me he was married
before he came here, ^{and} he had a daughter 12.
years old. living he also said he never was
divorced from his first wife.

He told me in Colo, he killed a man before
he came to this country Coeur d'Alene's
I mean where he came from he said
he had a cheese factory there leased
from his uncle he said he run it about
a while. got all the insurance he could
on it sold all the cheese he could afterwards
and then set fire to it he said the way
he happened to kill this fellow he was
hauling this cheese away ~~nights~~ nights
and this fellow caught him he said this
fellow he fired before and he was mad
at him because he was too thick with
his wife. he staid collected all the insurance
but all the farmers he could out of there
money ^{for} and then he had to skip out.

as it was beginning to leak out what
he had did and the Insurance Co. got a
warrant out for him and he found
this out through friends and skipped out.
He spoke of Detroit Mich. a whole lot.
to us Steve & I. and of Penn. I am almost
positive I told me he was born and
raised in Penn.

Harry said while he was in Frisco
he run out of money playing poker
and held up a street car Conductor. He
said he rode out with him to the
end of his line nobody was on the car
as passengers but him and he struck
him up and got his money. he said
it was somewhere between \$30.00 & \$50.00
he got from him.

Harry told all that is in both confessions
and more to I guess in the first statement

he made. but afterwards made a shorter one. he could commit to memory.

Harry also told in his confession about he and Jack Dempsey took a big lump of coal and filled it with powder and threw ^{it in among} among the coal at the ^{mine} Indicator. he said they wanted to try and blow the boilers up he said Jack Dempsey threw this in among the coal but the never heard any more of it.

Harry also said in his statement that the firm of ~~John~~ Hawkins and Richardson wrote him up a ~~recomendation~~ recommendation for a insurance agent in Denver. Pettibone also wrote one and Jim Sullivan attorney ^{in Denver} he said Richardson said he would write him out one under any old name he had them write up for Tom Hogan. his assumed name.

What happened after Stephen was arrested in Baker City Ore.

On the evening of Feb. 1906. a detective by name of C. S. Thiele Sheriff Brown and Colonel Purting - came out to our ranch from ~~Haines~~ Haines Oregon and arrested Steve and took him to Baker City and next morning about 10 o'clock took him to Boise Ida and placed him immediately in the cell with Harry Orchard.

Nobody came near Steve for a few days but Harry kept telling Steve if he would not make a confession to corroborate his ^{story} ~~the~~ Gooding and McParland were going to turn him over to Cripple Creek ~~attorneys~~ officers. he told Steve he confessed to blowing up the Independence Depot himself and implicated Steve as a party that helped him. he told Steve he would sure to be hung without any process of law whatever as he would be mobbed every day through Whitney or

J.C.
his Deputy, Mills would come and take Harry out and say as an excuse that Harry was being turned out a while for exercise. But they were taking Harry out and seeing what he could do with Steve ^{no Harry told us of top ward so.} after Steve was there the 4th day Whitney himself came in and took Steve out in his office and give Steve a good talking too he told Steve if he would only corroborate Richards' confession he would never be sorry of it; He also said he would see that his family would be taken the very best of care of. Steve ~~told~~ thanked him as nicely as he could get talk but also told him he did not know anything to tell at that time especially. So the very next day McParland came up gave him the same ~~for~~ talk that Whitney had given him Steve told him he did not

know anything about Orchard's Confession
at all. He then told Steve he could
do either do one thing or another he
could corroborate Orchard's confession and
he would get commuted of any crime he
implicated his self in and he would
see he would get a good bunch of money
besides, or he would have him turned
over to a mob in C. C. that would
hang him so high Salt Peter would
never save him. he gave Steve a good talking
too then and Steve told him he did not have
anything at all to say McParland said
all right but he should think it all over
as the next day was the last day they
could hold him there and he should
consider it well and he would come
up the next morning again.

Steve kept waiting for one of the
lawyers for the Defense to appear
to his assistance but none showed

up at all. furthermore Steve got one
Moore of Baker City to help him
out he sent for him the morning
he was being taken out of Baker
City told him plainly as he could to look
at the extradition papers and if they
were not right in every way he
would stay right where he was and fight
them but Moore looked at some papers
and told him as he advised it was
best to go he said as far as he could
see they were all right. ~~The next day~~
~~Oct.~~ so Steve went. I went to town the
next day as the Sheriff & officers that
took Steve said if I came to town I could
see him but when I got there Steve
was gone so I went straight to
a cousin of Uncle Warrens by name
of Mead Bond and got him to get
Moore and go to Boise and see
Steve. As soon as Moore got

There were before he even tried to see
Steve he went to see Gov. Gooding &
the attorneys for the prosecuting of the
men, the attorneys & Gov. Gooding
gave Moore \$100.00 besides he got his
wages cause Phil said to us Steve &
I when Moore came down and wanted
his money as wages the state paid
him, but said they didn't know what
he wanted as they had given him \$100.00
when he ~~got~~ started to Col. but
Hawley & Borah told Steve it was
far better to pay him for fear he
would get mad and they did not
want the defence to get ahold of him.
Moore came to Steve and had a talk to
him told him also Gov. Gooding told him
if he did not do what he wanted him
to he would have him hung he
said Gov. Gooding said to him he
would commute him of any crime also

he ^{might} implicated his self in, and while
Moose was away ^{they} got Steve to make
out a confession corroborating Orchard.
McParland had a piece of paper in
his hands with things on that were
in the confession of Orchard's and
had Steve corroborate it that way.
Then They just simply thought
they had got Steve completely under
their thumb, and knew if I knew
it and could help it I would try
to make Steve recall what he had did.
So they got Steve to write a letter
telling me to please come on down
to him with beaver who was C. S. Thile
also, as he wanted to see me to let me
to come immediately if possible.
So instead of Thile taking me to
Baker City or Haines he ^{had Willis Sillard} drove us
up a distance of 22 miles from
Baker City and then come back ^{through} to

Baker By rail he wanted he said
to take the train at north Powder
and go to Union a distance farther
away still from Boise He said as if
any one wanted to try and follow
me & children they would think we
went to Spokane or that way but
the train that went that way that
should of came through N. Powder first
was away late & we could not go.
The lady that runs that hotel at N.
Powder a Mrs Goldsworthy ^{Thiele and [unclear]} by name
came up and asked me ^{at 10 o'clock} to come up
stairs to her parlor with her ~~when~~ but
Thiele told me I had not better go so
I was afraid, ^{to} ~~I had not better go~~. So
when we got on the train he told
me he had sent a cypher Telegram
To Gov Gooding as the lawyer he was
afraid would be away from their office's
telling him as had been prearranged

~~to have them~~ ^{worrying thing so all}
to meet me at Nanapa he told me
this party (who was none other
than Geo. Heibner the bookkeeper at the
prev.) would meet me as he had said in
"Telegram" I was Mrs Fuller, this party
would address me as such he explained
to me saying it would be better they thought
for me to change my name when I meet
Mr Heil ^{Geo.} Heibner he tipped his hat to
me, first Heil said he would've taken me
all the way to Boise but as there were so
many people that knew him so they thought
this was the safest way to get me there with
out the public knowing after we left
Huntington Heil never spoke to me at all
he ~~sat~~ ^{sat} ~~way~~ back in the car, (and following
us in the waiting room and just
merely passed the time as best he
could most of the time he was looking
out of the window as he said ^{also} they were
trying to slip me in Boise secretly.

They told me they had got me a home with the
Geo Heiberer Mother. when we arrived Geo.
hurriedly got me in a cab that was waiting
for us prearranged as he just said to cab
man "is this No 4. and cab man said it
was and ~~was~~ then Geo got in with me.
He said he would see that I could get
and see Steve as I told him I sure
wanted to ^{do} so that after noon Geo
came in and took me out to the Pen.
with the pen rig Geo first introduced
me as Mrs Fuller to Deputy Mills &
then we went back in the inner office
and there was the Warden Geo also
called me "Mrs Fuller to him. Whitney
then had "Geo go out and he gave me
a good sound talking to in as
nice a way as he could told me
plainly that Steve had been through
a whole lot in his few days there
and for me to be very careful and

cheese
all I
could

he could
have
could

not do anything to discourage him at
all he told me Steve had did the only
thing that would've saved his neck area
So I told him all right but I wanted
to see Steve he then went and brought
Steve ⁱⁿ to where I was and he
then broke down and cried to me
like a baby he told me he hated to
do what he had did but he did
the only thing that he could've done
and told me They told him if he had
not he would've been turned over to C &
hung. so fight with peter wouldn't see
him. he also told me that he was
positive he had been doped in the
coffee cause he said he was as near
crazy as a man could get. he has always
told me plainly to not let DTS. give him
dope if he was ever sick. and he lost
his head completely. he has ~~also~~ told
me since ~~we came to~~ he was out to the

100-100-100

pen this last time he thought he had
been doped again as he felt the same
way. he told me at the pen the first time
he would ~~never~~ get commuted of any crime
he and Richard had implicated them
selves in he said all Gooding & McPhee
wanted to hang were Meyer Haywood
and Pettibone and I then asked Sleets
what they intended to do with St John
as he told me he would never go back
to Colorado he said they were not after
him so much.

I then went back to town to Mrs
Stubiners house but in a wk. or so.
Whitney told me they had considered it best
to fix up a nice place for us out at
the pen he told me they & the DeFrance were
hunting me and he said they would
get some body to put me out and
they thought best to fix up the
old warden residence and let

me live there So Steve said he
did not want me to ever have a
key turned on me said he would
rather hang any minute or have his
throat cut than to ever drag me
any lower than he did. So then
Whitney came up town & begged
me to go out and tell Steve I would
come but all right but it was to be
understood I was never to be locked
up and I could come and go as I
wished to so that was the arrangement
I went to the pen under Steve was to
be left over with me day times but
locked up for fear some body might
sneak up and kill him and he was
so valuable a witness to the state
Whitney when he was getting up
to go to the pen told me as an inducement
that Gov. Gooding & the attorneys
had talked it over and they would

take it as a favor if I would go out
and cook for the boys Steve & Harry
as they were afraid they would get
poisoned he said you can't trust
a convict an inch behind ^{your back} and may
be the defence would get to some body
around there ^{in the barn} and offer one of them
a bunch of money to poison them so
off course I knew nothing about the
defence and went to cook for my
~~husband~~ ^{husband} ~~what~~ ^{who} what woman would not that
thought a lot of her husband would
not do the same thing.

But also before I moved the following
Sunday after I arrived in Bouse Geo
Hubbines came down home and with
him was Detective McParland. he said
I supposed Steve had told ^{me} him
what he would like to have me do
for him helping on dates & eat.
I simply told him I knew nothing

The Red book of the M.C. association & the Reply of the U.S.M. he said all right they were just the things he wanted. He told me plainly he would take the dates & references from these as I suppose he did.

He then asked me for Joe Mihelich's picture Jack Simpkins, and Art Pastors and Ed Ministers. Steve had told me in the letter to bring the pictures & his Union cards. I gave him these he has never returned. Art Pastors Ed Ministers or the C. Boards pictures. I made him promise me he would return them to me but he failed to. He then asked me to tell him what I knew ~~or~~ what rather Steve told me to. I only told M^cParland about a \$100,000⁰⁰⁰ petition went to the

express office and identified me
in Denver so I could draw this
back I told him I could not never
Jay Pettibone said this to me is a one
~~James~~ ^{Gerrings} name was signed to the
Express order he said Oh he would
fix that part of it all right and then
he asked me if I could not remember
of any more and I told him no, as
all the rest I got was pure & simple
relief so I never got over 100 \$¹²
at a time this is all I swear I
ever told Mr. Pasland. I told him this
was all I ever knew and furthermore
I never wanted to be put on the
stand, and he said all right.

I thin moved out to the Pen.

Thru on the 25 of Mad Steve with Thirle
McKisland Gooding Whitney & Guard Rube
Robbins went to Poatello to try and find some
Hell fire we failed to find it and started
back when Thirle asked Steve where he
stopped when there and Steve told him
at _____ House and Thirle went
there found the register - and found
the name Steve went under while there
John Ward. when we were ready ^{about} to start
back some fellow _____ came in
and told us where we could find a fellow
that knew all about the place as it was
there so everything was changed Thirle said he
kept this register with his name in it.

| | | | | | | | | | | | | | | | | |
|---------------------------------|----|--|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| ★ Ann. or Term Pass | | Jan. Feb. Mar. Apr. May June July Aug. Sep. Oct. Nov. Dec. | | | | | | | | | | | | | | |
| ★ TRIP PASS | | 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 | | | | | | | | | | | | | | |
| ★ CASH FARE | | | | | | | | | | | | | | | | |
| ★ 1000-Mile or Com. | | | | | | | | | | | | | | | | |
| ★ COUPON TICKET | | | | | | | | | | | | | | | | |
| ★ Round Trip Ticket | | | | | | | | | | | | | | | | |
| ★ Single Form Ticket | | | | | | | | | | | | | | | | |
| ★ D. ROOM | | | | | | | | | | | | | | | | |
| ★ S. ROOM | | | | | | | | | | | | | | | | |
| ★ SRAV | | | | | | | | | | | | | | | | |
| Passenger's Check, transferable | | NFT | | | | | | | | | | | | | | |
| CAR | | Chas. Dowd | | | | | | | | | | | | | | |
| FROM | | Pres. Hill | | | | | | | | | | | | | | |
| TO | | Mt. Horeb | | | | | | | | | | | | | | |
| Conductor | | H. K. Kump | | | | | | | | | | | | | | |
| 666336 | | | | | | | | | | | | | | | | |
| UPPER | | 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 | | | | | | | | | | | | | | |
| LOWER | | 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 | | | | | | | | | | | | | | |

but while Steve was gone to Peacetto
Uncle Warren accompanied by Moore
his legal adviser came down to see
Steve Steve was gone so uncle Warren
asked for me he then asked me
before Moore & Deputy Mills ^{& Moore} If we
did not think he could give bonds for
Steve he said he could raise a
100,000,000 bonds If necessary he said
he hated to think of any of his relations
is such a place as that.

I also heard Uncle Warren ask Whitney
the very same question but they always
put him off with some excuse
telling him once to my knowledge as an
excuse saying why the refuge would
kill him if they got a chance and
Uncle Warren said if he got him
out of there he would not be afraid he
said he & Willis would stand by him
and help him. If necessary he said
if that was their only excuse they need

not ~~worry~~ but him on that excuse he said
give the boy his freedom. thats all I want
and Ill see his here when you want
him but no sir he couldn't.

Then on the following ^{1st} of April ¹⁸⁹¹ they
Moore came down again. alone he said
Uncle Warren was not feeling very good
he brought with him two papers ^{for}
Steve one for me to sign in regards to
Water for our land while he was there in
my presence I heard Steve say to moore
what were the chances for him to give
bond and for him to go back to the ranch
till time for trials Moore said Steve
Its just like this. I went to Colo and
to Got Gooding he said I have nothing
for you either here in Ida or in Colo for
any crime you may have implicated
yourself in ^{see} your confession he
~~said~~ Steve told him as there were
no indictments against him for any offence

he didn't see why he could not go. Moore
said Steve I know you have no indictment
against you not I don't want them to
have one against you but if you
were to try and get out they would
put you under one and he said you
better not try & buck these people
meaning the State as he said they intend
to do the right thing by you he said
all the people the State wants is Meyer
Haywood & Pettibone But he says Steve
I'll talk to these people and see what
I can do for you.

Then the next thing was when they took
Steve to Colorado, first Mills with a rig drove Steve
Thiele from The Pen in the Pen rig out and
started out toward Boise between Boise & The
Pen he was met by Thiele & June Johnson
June Johnson drove & Thiele & I rode in back

sent to a side track at Station called Orchard
Buckley Wells & Meldrum^{mills.} were there for
to take me we went to Colo to look for
Barneys body but failed to find any
trace of it I stayed while there at the
Smugglers Union office in Pandora I
was guarded night & day nights a guard
sit up in my room never left me a minute
alone while there.

I then came back to Boise with Wells
& Mills

three in Aug Joe came up to Boise to
See Steve he had an awful time as he was
there 3 days before he was allowed in at all
I asked Whitney why I could not see him
and he would not hear to it he said
they did not want any body to know where
I was.

In June I told Whitney I wanted to
go to town and get me some clothes
and he said he would see about it
So Thiele came out that evening and
he gave Whitney to give to me 20.00
but he says Mrs Adams I believe
its better for you to get Mrs Whitneys
or her daughters to do your shopping he
said the defence were looking for me
every where he said they even had a
woman looking for me in Boise he
said she is working as a waitress
but they had her spotted and had

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a spotter watching her he said I better not go Whitney said the same thing I only had got to ever leave the pen once and I asked to go to town directly after I went there and Stella Whitney went with me we were only a few minutes in town So this is how I came & went as I pleased.

Mrs Mahoney when she was there wrote a note asking to see me I fairly begged to see her I told Whitney Dorah & Hawley I wanted to see her but no sir I could not I had to do as they said.

I told Hawley & Dorah a few things in regard to the confession along in June after they had been up & been up to try and get me to say something I told Steve I knew nothing

to tell. So Steve told them he just begged
for them to keep me off the stand. ~~and~~
they said it would be so much better
he said my word to anything ~~to~~ would
have so much weight they told Steve to
go over what he had confessed to. I
try and get her to help him they came
up ~~once~~ and Steve told ~~them~~ them he had
no chance as he never was over there
only when the women ^{prisoners} were - and he would
not talk about his confessions then
So Hawley & Bodak said they would
go down & talk to the Gov. & try & fix
it so Steve could come over & stay
where I was nights & all the time.
So they went to town & the next morning
when Whitney went to town they told
him it was all right to let Steve
come over so they did.
before Steve went to Colo he wrote
me out his confession word for word

he also wrote a note denying it all saying as how he was forced into doing it all told me to keep it & if anything happened to him while away I would have it be signed & dated this for me

but before I left the Pen I burned these all up as Uncle Warren told me to burn up all papers & letters so I did.

So I studied read & reread Steve's confession when he got back Borah & Hawley came 3 days in succession trying to get Steve to have me come over so the 3 day with Steve I went over I told them what I did McParland he said as all the crimes Steve implicated his self into I would just say he was out or he was away in regard to Tyler's murder he said to say he was in The Coon'd Allen

Steve did nearly all my talking, but before I started in I absolutely refused to ever sign my name to it ^{for me} nor I never did. Mrs Whitney would say lots of times & her sister too. They could not see why the state was holding me only they were protecting me for fear the defence would kill me if I were let and I told them I was not afraid of them. Borah & Hawley told me they would hunt me up a 1904 & ~~1905~~ calendar for me so I could tell how long Steve was up here in the Court. I told them he was to Goldfield and back Oct. 18 from the Court. & Alene he came back to Denver about 2 weeks & got back Oct 18 I knew as I kept a memorandum of it, and I knew that later.

The next Uncle Warren came to our rescue Sept 6 1906

1.
A copy of Stephen Jackson's confession
as nearly as I know.

Witnessed Charles - statement of Ed Minister about
the flagman's bid & that same was written
that day & witness responsible of the bid
First - Assault on Andy Stokes, Sherman
Barton, Arthur Boston, Eastly & myself.
Witnessed the same & kind of your work
Second - Assault on Jack Robinson Sherman Barton
Eastly & myself. Arthur Boston.

3^d Murdered Martin Gleason. "Manager of Wild
Horse mine" Harry said "Ed Minister & Art
Boston did it."

4th Murder Arthur Collins. Manager of Smuggled
Union Mine. I did. Ed Minister & Art Boston.
went to his job but jailed Ed had to appear
in Court in Cripple Creek. so he went home &
I and Art Boston did it. Vincent St. John &
O. M. Carpenter. paid us \$500.00 we divided
it in halves and Art went to Denver and
H. and M. gave him 1000.00 he came back
to C. C. gave me \$750.00 more he then left
and went to Idaho, near Meadows. I staid in C.C.

2.
5th Assault. Took a Detective out of a saloon
in Independence, implicated Ed Minister and my
self.

6th Power Plant at Colo. Spgs. W. F. Davis ^{Parker}
paid us \$200.00. Walter Fergerson, Dunn,
Slim Campbell and myself started all quiet
but Slim & I. we did what we could
alone Davis went to Denver and brought
us back \$200.00 more he stoped off at
Colo. Spgs. and gave it to me on the big
R. R. bridge.

7. Bill Haywood ^{& M.} suit for me to come to
Denver I went, he wanted me to go to Colo
Spgs and get Manager Mac Neills he wanted
to try and kidnap him I went back to the
~~Creek~~ Cripple Creek and got Ed Minister and we
went down there I afterward went back and
told them it could not be done we tried every

made a detour to the ^{back} to C. C.
every way, and we then went

8th Assault on Stewart Slim Campbell
Sherman Parker, Billy Easterly.

9th Bill Haywood then sent for me to again
come to Denver by Davis I went and heard
Pettibone sent me to Pocatello with that Hell
Fire or Pettibone paper. they H. & M. heard
they were sending Scabs from Colorado
to Cripple Creek by way of Pocatello. and
Ogden I went and watched every train
while there but there was something the
matter and they sent the scabs some other
way. I buried the stuff and tore up my grip

I then went to Denver and reported and

was sent to Telluride to try and get some
of those bad men Meldrum, or Remmells or
there likes while there O. M. Carpenter and
my self removed what was left of Barney's
Body we put his clothes in one sack and
his body in another and buried them
seperated one in one hole and the other sack
in the other. was done this because there
were to many people knew where he was
buried I then was married Nov. 15-03.
I went back to Cripple Creek to get a
house and get things fixed up for housekeeping
when the Indictor was blown up.
I was arrested and put in C. C. jail

St. St. John told me that he and Bob
M. Lindis killed Wesley Smith - got him
in the Union Hall he drew a gun on
St. John and St. John caught the trigger
some way and that night some time

he said they buried him in the Grave
yard. in a grave fresh where some body had
just been buried lately.

After I got out of jail on \$1500⁰⁰ bonds
I staid in Independence my home untill
after my case was Nolle prossed. and then
Harry Orchard and I went to Denver
Harry going ahead of me by a few days
Petibone came up to see me & Harry right
after I got of jail on Sunday.

When we went to Denver we went after
Teabody we worked on him for Burks
it over every night. we heard then that
Gregory was in Denver and located him in
a saloon playing poker we watched him
till night Harry went after his Shotgun while
I watched him Petibone started to go

with us but he went back ~~in time~~ to
tell Haywood & Moyet to get where they could
prove an alibi if necessary. Harry came back
and when ^{Gregory} came out of Saloon we followed
him to ^{the} alley where Harry shot him, we run
through the alley for a few blocks and went
to our rooms. at 35th and Downing Ave.
we both then came back to C.C. a few days past.

I then went back home C.C. and staid until
after the Independence Depot. accident when
I left again Harry and I did that. we went
back to Denver. Bill gave me at Pettibones store
\$200.00 I gave Pettibone \$100.00 of it to send
to my wife at C.C. which he did but she
left before she got it and then he went
with her and sent it back he sent her
the money as Johnny Deering sending it,
not his name.

I staid in Denver till June 27th A.D. 18.
and then they ^{A.P.M.} told me it was getting pretty
hot there I better leave and go up to Jack
Simpkins in the Cour d'Alene's so I did
Pet giving me ²¹ 200.00 more. From Bill H. & M.
Pettibone bought my guns. a shot gun and
an automatic 35 colts got me. he also bought
Harry's.

When I got up in Idaho. I went to Jack,
and Jack and the settlers there told me
there troubles and we went after the jumpers
Mason, Glover & my self got Tyler,
Later! Jack, Simpkins, Glover, ^{the sword man}
and myself got Bouid.

Jack and I were waiting for money to come from Denver to go after Studen Berg, but it was so long in coming that I got a letter from my wife in Denver to come home which I did.

But when I got to Denver I met Bill H. and Pettibone in ~~the~~ store and Bill told me he had sent the money to Ed Boyce but I failed to get it.

Harry went to San Francisco after Bradly he said. he came back to Denver and came to our house.

Wd they went to work for Peabody and worked on him till Harry hid so on Steve to Bill as Harry wanted to work alone, so Steve quit and went to.

Park City Utah. from there Bill H.
gave my wife \$40.00 for me and fixed my
union card a yr. ahead when I quit
in Denver. from Park City I wrote to
my Uncle Warren and he telegraphed
for me and my wife to come to him in
Baker City Or. I went and when I got
there and I suit for my wife I staid
there then till I was arrested in an taken
to Boise Penitentiary for safe keeping.

What was it you said about you and Ed
Being sent to Col. Jackson

Steve told them also Bill Haywood

suit him and Ed Minister to go to Jackson California so if any of the Mine Managers balked any to put them out of commission.

Coming back to Denver they got pinched at Ogden and thrown in Jail.

The Sheriff was a ^{Br.} mason and got them out and loaned Steve \$5.00 he wired to Bill H. for money Bill telegraphed him \$75.00 they ^{Shil} detectives looked this up & have got this where he got the money from Haywood.

Also when he was arrested in Denver Pittbone writ Steves bond for \$300.00 they detectives have looked this up. also they have Steves auto #4347 I believe Pittbone bought for him when he got arrested he laid it in the lockers and the police found it and the detectives made him give it up as I heard Shil say to Steve that they had it for him. they also have his shotgun.

for Steves.

Handwritten notes at the top of the page, including "Copy of..." and "my own..."

... of ...
... by Steve Adams
to

E.F. RICHARDSON

(County Jail of Shoshone County, Feby. 2nd, et seq. 07)

Born in 1867 in Jackson county, Mo.

Raised in Mo. on a farm.

Left for wab. when I was about 22 years of age and worked on a farm and on section.

Worked in South Dak. a harvest or two.

Worked in packing houses in Kansas city.

Came to Colorado in 1898 or 1899 from Spokane.

Worked in saw mills near Spokane about one year.

Went to independence where my brother Joe. was working in the mines. Made my home there until year of 190⁴ in ~~April~~ ^{June}.

Went to work on Fox lease for two months, then on Vindicator for 23 shifts only. Then on Dante mine for 3 or 4 months.

Then Luther Jones, Tom Clemmons and I took a lease on Dante. Then went over to Goose Creek and worked on tunnel Den. Un. Water Co., Staid there nearly a year and then returned to Cripple Creek and then went to work on the Finlay for a while, then on Vindicator No. 2, for Sol. Langdon who is now dead (for 14 months). Then I went up above Silverton and went to work for Dan Ritter on the Lion Tunnel for a short time and then returned to cripple Creek. Then I left there and went over to Telluride. Got there about two days after the miners had trouble with the scabs. Parker and Bastion and I went over together and returned together.

Date *July 3, 1901. is the date miners were marched over the mountain.*

Bought an express wagon at cripple creek and run that until the miners were called out on account of McNeil until trouble and I then sold out to Luther Jones. I sold my horse at same time.

DATE *Standard Mill strike Feb. 11, '03.*
Cripple Creek strike Aug. 10, '03.

12.

I was in Telluride in 1902 when Collins was killed. I was working at Smuggler Mine for Jack Hogan.

DATE Nov. 19, 1902.

Staid in ^{Telluride} ~~cripple Creek~~ then until after Collins was killed. In spring Ed. Minister and I went to California. Staid in California in summer of 1903 and returned to Cripple Creek in the fall of 1903. On our way back at Ogden we were arrested for beating our way on a freight train. When we got loose we went direct from Ogden in fall of 1903 to Telluride. Staid there about two weeks and then went to Denver. Stopped in Denver not more than two or three days and then went to Cripple Creek.

Am uncertain about dates, but I know I went from Pocatello to Telluride to get married. I was courting Annie Dixon formerly Miss Dimond, and went to see her as often as I could. When I went to Pocatello I had started to go to the Couerd Alenes, but when I got as far as Pocatello I concluded to go back and get married, (if she would have me). Went to Telluride and got married. Then went to Cripple Creek to get a house and was going to settle down.

While there the Vindicator explosion happened, killing McCormick and Beck. I was eating dinner at my brothers house at the time. I got up and went down town and was arrested. Was put under bonds (\$15000) which was given. Mess. Richardson and Hawkins were attorneys. Staid in jail 93 days and then suit was nollied.

DATE Nov. 21, 03.

I staid there then until I was advised that I was to be driven out with others by a mob the day after the Independence Depot explosion on June 6th 1904. when I went to Denver. I first met

Orchard just to know who he was when I was attending the trial of the spike pulling case. After I went to Denver I went to living with my wife at 22 and Welton. Staid there until I came to the Couer d Alenes. The reason I came to the Couer d Alenes because I heard Sheriff Bell was going to arrest me and take me back to Cripple Creek. I had already had 93 days of it.

DATE *About July 1-'04. Probably left Denver latter part of June.*

I came here. I arrived in Wallace on July 3rd 1904, staid here until evening of the 5th when I went to wardner and the next morning the 6th Jack and I went up on his timber claim on the St Joe. in Marble Creek District. Got to head of navigation on 6th and walked on to masons place that night. We staid there all noight and next morning went on to Simpkins cabin, but staid that night at Ray. Wells cabin until we could get Simpkins cabin fixed. Helped Simpkins clear up some ground and cut trails. Also helped mason build a cabin about a mile from jacks cabin. Staid there until August the 7th, but we were in and out several times as far as Masons. On August the 7th I got a horse from price. I rode out I left Simpkins at prices place that night which was the 7th. It staid at Masons. Slept in hay left with his boys. ONE of the Mason boys took me down to the head of navigation/ I wen, to Couerdalene City on the boat. And by rail the same day to Spokane. I staid with my Aunt who lived at Garden place in south-western part of Spokane. I staid there ~~one or two~~ ^{three or four} nights, but before going to my aunts I staid ~~a night or two~~ ^{three or four} nights in Spokane. I know I bought some clothes, then I went to Couer d Alene City where I met Jack. He having told me he would be there and asked me to meet him as he was coming out to buy supplies, and going right back and he thought I could get a timber claim from a man he knew there. The man was

not there. Jack wanted to come to Wardner to see his wife so I came along. She was away on a visit but we staid there several days until she returned, then we went back up as far as Masons. Staid at ^{blous} Masons until I got a letter from my wife urging me to come to penver, arriving on _____ date 1904. Staid there a short time and then went to Goldfield ,Navada. Got sick at Goldfield and went back to Denver. Art Bastion hisw wife, my wif and myself lived at _____ in Denver until in the fall, and then my wife and I went to 2443 Clarkson St. While there Orchard showed up, saying he had been in California. Then we moved to 2856 ^o Wilton St, and he and Billy Aikman boarded and roomed with ^{me} them. This was during winter of 1904. In spring or later winter, early we moved to Globeville and lived there ^{less than} about two months. There we left them and went to Park City Utah. Was at Park City until August. In the meantime Anna came out and the story about taking furniture arose. In August got a telegram from Uncle and went to paker City , Oregon. Gave my wife all the money I had and beat my way to Oregon. I got there in August 1905, and took up a homesetad 4 1/2 miles from Haines (east and ten miles north of Baker City where I remained until I was arrested. About a week after I got there I sent for my wife.

ARREST

About Feby.19th in evening C.C.Theile and Col. Hunter and Sheriff Brown and the driver came to ranch about sun-down and Theile asked if my name was Adams. I said yes. He wanted to know if I knew Tom Hogan and Harry Orchard. I said I did not. He says did you not use to live in Colorado. I said yes. Wanted to know if I knew ?Pettibone, Moyer and ~~ray~~wood. I said I had met them in

15.

✓ Denver. He came in ahead and asked these questions. I said what authority have you for asking for so much information. He said he had a warrant. Then he called the others up and told them to watch me while he went into the house. He went in and saw Adolphus the boy and my wife. He came out and told the Sheriff to take me in charge. I asked him to read his warrant. He handed it to me and I read it and handed it to my wife. It was a fugitive warrant. Then I asked him if I could change my clothes, so went in shed room (bed room) and changed. Theile said when he arrested me. I am going to take you down to see Harry Orchard. Then they took me to Baker City. When I got to Baker they locked me in the County Jail. The next morning Sheriff Brown came and told me to come out. I refused to go and told him I demanded the rights of an American citizen to see an attorney; that I had a right to have counsel and I would not come out until I saw one and I told him where he could get one. I told him Moore was counsel for my Uncle and me and to get him. I think they had Moore there already, because he came out in the corridor at once and so I went out. Moore said he would go down to the depot. I told Moore to see papers and see if they were all right, and to hold me there if he could until I could get word to my Uncle. To telegraph my Uncle anyway he being in Texas at that time. While we were waiting for the train at the depot Sheriff Brown said you go down there and do what these fellows want you to and you will come out all right. I am on the inside and I know what I am talking about.

Theile said that morning that during the night Brown had tried to call up the Governor but that he Theile got to him first and he told the Governor to out it out and not talk to him. When the train came in Rube Robbins got off and showed papers to Theile and I showed them to Moore. Moore looked at them. We went to one side

17
little bit. Moore said he could object to them but it would do us no good, and I might as well go as it was a matter of only a few hours any way. When we got to the pen I was searched in the office Took me and put me in cell with Harry Orchard. I think this was the morning of the 20th. Orchard commenced to talk at once. Said he had made a confession that implicated me in a lot of crimes that had been committed. I asked him what crimes and he said all the crimes in Colorado and everywhere else that I had been around. That he had it fixed so that he and I would come clear. That he and I would never be tried on these charges if I would corroborate what he had said. He said their object was to get evidence against the officials of the W. F. M. That they were the men they wanted and he named, Haywood, Meyer, Pettibone, St John and Simpkins. I said I dont know that any of these men are guilty of any crime and I wont give false evidence against any man. I said also I dont think they can convict men on that kind of evidence. I told him also that those men would come clear and we would be tried and hung for making false confessions. He said he knew we wouldn't because he knew McParland and the Governor would not stand for it. I told him I was going to wait and see my Attorney before I talked any more with him about such matters. He kept talking and telling me of the crimes which he said he had confessed to and which he said he had implicated me in. He kept this up almost constantly. He told me over and over again that Governor Gooding, McParland and the States lawyer had promised to stand by us and see that no harm came to us. That all they were after we re the leading officers of the federation. He kept this up continuously for four days. In the meantime the only persons I spoke to was ^{the warden} McParland, Bond and my Attorney Moore. They came to see me and I was taken out into the back office. This was about the second or third day after I was put into the penitentiary and Bond said in the presence of

Attorney Moore that they had seen Governor Gooding and that Gooding had said "that if I did not tell what they knew I knew and what they knew I ought to know they had evidence that would hang me so damned high salt peter would not save me."

He says, turning to Moore, "Ant that the words he used" and Moore said "Yes that is practically what he said"? Bond says "Steve I would do anything in Gods world to help you". He says "I am just telling you this so you can be your own judge whether it is safe for you to do it or safe for you not to do it." He says "You study over it and do whatever you think is best." Moore says "I will probably go to Colorado and see the Governor there" and he said he would come right back and see me again. He never came back when he said he would, but about the time Moore should have returned and about six days, I should think, after I had been put in McParland came. I was taken out into the office. The Warden introduced me to him. He said Moore was back to see the Governor of Colorado? He said he should have come "to see you when he came back but he said he hasn't come has he" I said no. He said "I know Governor McDonald is all right". He said "Of course he could not come right out and tell Moore what he would do, but I know what he will do." He says "It is your duty that you owe to your family, your fellow men and your God to Corroborate Harry Orchards confession against the officials of the pederation. There isn't a doubt but what they are guilty." He said "if you dont you will be taken back to Cripple Creek and hung, and then where would your wife and poor little children be." He said "You do this and you will never be prosecuted and you will come out all right and be away ahead." He said "That these people here, the Governor and officials of this state are all right and they will stand by you." He said "That he was in a position with these two Governors to know what he was telling me was the truth."

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There was a great deal of talk along this line. He explained what they could do and how they could do it. He said "It was my duty to corroborate this evidence of Harry Orchard so as to convict the federation officials." He said "Harry has told you what he has testified to against the federation officials." I said "yes". This talk occupied about two hours and he went over it again and again, stating it in all its different ways. All of the time repeating that if I did not corroborate Orchard I would be sent to Cripple Creek and mobbed or hung by the people there. I said I would not do anything that I was going to see Moore when he came back. So McParland went away and I was taken back and locked up in the cell in solitary confinement. Orchard was taken to the hospital. He claimed he was sick but I could not see that anything was the matter with him. The next morning McParland came again. I was taken out to the same office to see him. He said "Your lawyer hasn't showed up yet. You see the federation hasn't sent you any lawyers either dont you." He said "They would be glad if you were hung." He said "You better go ahead and make a statement corroborating Orchard and save yourself." He said "That all the Federation officials cared about was their own necks." He said "That if I was turned loose I would be killed immediately by some member of the Western Federation of Miners." Orchard had also told me that they had been talking of killing me for sometime. After about an hour I told him I would say anything, that I would make a statement the best I could. Before McParland talked with me I have been talked to by Warden Whitney. He pretended to be my friend and talked to me saying that he was going to give me some good advice and that I had better take it. He said "I suppose Harry Orchard has explained to you about what we are after and it is a duty you owe to your family, your children, and your people who are good people and citizens and people who wont stand for no

crooked work, who dont believe in crime to save yourself, and the only way you can do this is by getting in and helping the state to convict the officials of the Western Federation of Miners, Haywood, Moyer, Pettibone, St John and Simpkins especially. There is no doubt but what they are guilty as dogs. This is my advice, study over it earnestly and I hope you will take it." I thanked him and was taken and locked up. I told him that I had nothing to say; that I would do my talking to a lawyer if I could ever get one; that I was in bad shape as my Uncle was in Texas. When I told McParland that I would do what I could, I also told him that I knew nothing about wheng these thingswhich Orchard had told me occurred, and that they would have to get the dates. He said "I will help you with the dates all right." I said "If I make this statement what will become of my wife and family while I am kept here." He said "I will send and get her, get her a good place to stay and the state will take good care of them and see you through." He then said that when he prosecuted the Mollie Maguires he gave one of his witnesses, a fellow called Kelly the Bum \$1000." He said "They all got paid accordingly." Then he called in a man who he said was his private stenographer by name of _____

He then took some papers out of his pocket and he would read to himself and then ask me questions, and then I would answer it back as nearly as I could remember what Orchard had told me about the same transactions. He said that it did not make any difference whose names I mentioned in my statement, none of them would be prosecuted except these men connected with the Federation, Moyer, Haywood, Pettibone, So John and Simpkins." We had two sittings, one that day and one the next. We had a fine dinner brought in and my treatment changed at once. At the end of the first sitting instead of being locked up in a solitary cell I was put in a nice little room in the hospital with Orchard again. Our accommoda

tions were very very pleasant. After the second sitting was finished the very next day Moore showed up. He told me that he was very glad that I had assumed the responsibility of this statement. He thought it was best for me but he did not like to advise me, but as I had I had better stick to it and go through. I told him to see my Uncle when he got back and tell him the truth of the situation and not go to lying to him; that he believed in a mans honor more than anything else; that he valued his honor higher than he did his life; that was the way I had been raised. My people were all southerners and their word considered as good as their notes. I told him that the truth was that a part of my statement was true, that I had taken some of these trips and had been in the different places but that the balance of it about the crims was a damn lie. Some days afterwards they brought me a statement in type-writing apparently written in narrative form and not as it had occurred between McParland and me in questions and answers. I did not pay much attention to it, as I had been receiving such nice treatment since making it that I had concluded to sign anything that they handed me, although Whitney when he handed it to me told me to read it over and if I wanted to make any corrections in it to do so. I glanced through it and McParland, Heubiner came in and I signed it and swore to it before Huebener.

After signing I was put back in the hospital ward where we staid until my wife moved into the womans ward. Warden Whitney told me he wanted my wife to move into the womans ward as they thought it not safe for her to stay where she was. He said "The federation mob were likely to get away with her." I asked him where he was going to put her and when he told me I said, "I would never consent to having a key turned on her by my request; that I would rather have my throat cut; that I thought more of her than I did of my own life and that I would give my life for her any minute." I told them to see her and see what she said about it, and to tell her I wanted to see her. She came to see me and told me they had been trying to get her to move in there and that it was not safe for her to stay down where she was, and I told her I would leave it with her. Told her I did not like to see her go behind them there walls and she never would with my consent if I could help it. She said they had teased her so much about it that she thought she had better do so. That the Warden had promised to take some men out who were there so she and the children could be alone (he did not take them out and one of them was a convict rape fiend) After she moved in Harry Orchard and I took our meals over there; that continued for three or four weeks until the Warden or his wife or both consulted my wife about a nigger wench getting some cigarette tobacco. They came in and took me out to the office and told me my wife wanted to see me. I went in and found my wife crying. The Warden was in there. He said it is about that tobacco you want to see him. He said I dont believe in it and I aint going to stand for it. He shut the door and went out. I asked her what the trouble was. She told me that the warden accused her of giving a negress some tobacco and said she went to explain

it to him and he insulted her by saying he would take his
wifes word for it. I told her it was no use for either of
us to say anything to the warden but that I would see the
States lawyers. I saw them the next day, both Hawley and
Borah. I complained about the matter and told them that if
they did not take them men out of there I would see if I could
not get her out of there. They agreed to have it changed
and they did. After that I staid over there all the time and
Orchard came over for his meals. The first time I ever saw
Governor Gooding was right after Orchard was taken over to
Caldwell for some purpose. When Orchard was taken away I
was put in a cell and when they brought him back, I think that
night they put him in the cell with me. He was awfully blue
and glum and he said that he thought they were going to use my
evidence against him and put him through. He was lying in
the bunk, and refused to eat. He asked me for a piece of
paper saying he wanted to write a letter to his brother. I go
got a piece of a slavation army war cry. He wrote a letter
ripped his vest and hid it between the lining of the vest and
outside. He said he did not want to live and for me to send
this letter to his brother; that the address was on it and to
slip it out some way. I told him I would if I could. He
said that they were going to hang him on his own evidence and
mine and that he would rather commit suicide than to hang. My
wife came in the next evening to see me. I told her the next
day what Orchard said and what he was going to do. So she
told the Warden. The reason I told her was that I was afraid
they would blame me for it, and I told her so. That evening
we were taken out and put in the hospital. That night
after we had gone to be the warden came in and took us out to

23

the office. McParland, Governor Gooding and Warden Whitney were there. They took me in the front office and the Warden introduced me to Governor Gooding and they left Orchard and McParland in the back office. The Governor asked me about Harry. I told him the same as I told my wife. He got up and went in the room where Orchard and McParland were, but came back in a few minutes and said that Orchard was denying it up and down. He said he was going to get it (meaning the letter) if he had to strip him and then get a new suit of clothes. He said also that he was going to take personal charge of the case and see personally that we boys were looked after so that nothing of that kind would occur again. The Warden went in the other room and returned in a few minutes saying McParland had got it, and said that McParland had said that Harry said he was going to break his watch crystal and cut his throat with it. He had talked with me about having some cyanide. Governor Gooding said that night to both of us "You boys have got to stick together and go through, for that is your only savior". I only saw Gooding once after that. That was about the time Bob Wetter was going to be hung and had his sentence commuted. He had quite a talk with me in the back office. He said, "that he was sorry he could not save Wetter that his counsel had not made any showing nor had he done anything for himself so he could not step in." The way this came up was that he had sent for me and said he was down there on that case and that he thought he would just see me a minute and also would like to visit with my wife a minute. Then I said I was awfully sorry for Wetter, when he made the remark above. Then he and I went over to the female ward where my wife was. Gooding when he came in picked the baby up and kissed it, saying it was a fine boy. He shook hands with my wife. I said "Governor this is fine weather to be shut in; I would like awfully well to be back on the ranch." He said

After finishing was then Bob
came down that night and
talked with me about the case
and I told him what I thought
about it and he said he would talk to
me with the Governor and the Warden
and after that was at the
and after that was at the

24

"The only way you will ever get back is to go through." He said "He was in a Hurry" and only staid a few minutes. He said he would see us again when he had more time. He said "If you do go through with this you will come out all right and I will see that you do come out all right. The state always takes care of her witnesses."

BORAH & HAWLEY:

I had many interviews with Hawley and Board, commencing right after I signed the statement for McP arland. The first time they came together. They asked me to tell them as near as I could what was in that statement. I gave them all I could remember of it and they said that they wanted to get that down so that the other lawyers could not catch us on it. That I had done pretty well but they would see me often and go over it with me so that the Federation lawyers could not catch me. That they expected those fellows would go after me pretty hard. That they had Orchard writing his statement down again so that he could tell it straight. They said "All you fellows have got to do is to go right through with it straight and we will take care of you; that it would not do to go back on it for if we did it would be all off with us." Sometime after that they came down and wanted to see my wife. They asked me if I thought she was going against us. I told them that she could not because she did not know anything. They did not see her that time however. They asked if my treatment was all right and I told them it was.

25

In the second interview with the Governor he said "We have got to convince these men or they will kill all of us." The lawyers in the presence of my wife wanted my wife to corroborate all statements made by me. She told them she knew nothing. Hawley says "If we dont convict them they would kill you just as soon as they would your husband". At different times they wanted me to make the money transactions stronger. They said that they could not connect the federation with matters in connection with the Tyler killing unless I would say that Haywood had sent money to Ed Boyce. Hawley says " Cant you say that they (meaning H & M) asked you why you did not get this money ." And so I said it. Hawley asked me if I would go to Pocatello and show them where the Hell Fire was burried and McParland spoke to me about it too. So they said we would take a night train; that the Governor; Theile; McParland; Rube Robins, Crand and Whitney would go along to protect me from the Federation to see that I did not get hurt, so we went down. Orchard told me location and made a little plat of it. He said that it had been put there and he knew it was there all right and I would find it. I had quite a bit of trouble locating it. With the assistance of Theile and Whitney and by making inquiries we located the building nearly filling the description Orchard gave me. A man was using it for a stable and after getting shovels and picks we dug the whole bottom of the stable up, founf one glass stopper which I said was either the one or like the one described in the statement. They asked me if it could not be it and I told them it looked much like th the one I described, somebody found an old tin can outside in the road and handed it in through the window in the stable. I said it looked like the tin can described in the statement. They hired two niggers to dig and told them they were searching for burried treasure. I pretended all the time that I had burned the tin can

and the bottles but all I knew about either of them was what Orchard had told me. After we got on the train McParland, Whitney Rube robins, Crane, Theile and myself sitting down ready to come home the Chief of Police brought some fellow in that he found who said that he and two other men had found some stuff in bottles there. The stuff started to burn and they tried to tramp the fire out and got their shoes burned so that they had to take them off. McParland made a note of it (Theile told me afterwards that he found one of these fellows who got his shoes burned in Montana. He talked to him and told him he was going to take him to Idaho and make him pay his bills. He then told him what he wanted and he said ~~if~~ he would come) we returned to Boise in a parlor car. On the way McParland treated liberally to beer, got back between three and four in the morning. They congratulated me, said I had done well and that it was better than as though they had found the stuff, and that it would be good evidence against the pederation. Afterwards we made arrangements to go to Colorado. One morning bright and early they took me in a prison rig and started towards Boise. On the way met Theile and Gene Johnson with a two horse rig. They said the reason they took those precautions was "If the Federation People knew we were going and where they would pick me off." Said they were well armed; had plenty of bottle beer and a big basket of lunch. On the way to Orchard Gene Johnson drove on the front seat and Theile and me in the back seat? Theile asked me what it was I said in the statement in regard to killing Tyler. I told him as near as I could remember what was in the statement. I did not tell him that anything in the statement was a fact and he did not ask me (See Thieles evidence before magistrate. See if Theile does not testify that he had the conversation about the killing in the office of the pen on April 18th, while the conversation in the wagon was on May 27th and only related to an incidental matter, and not to the killing. Steve denies that he ever had any conversation in the pen about the killing at all with Theile).

We arrived at Orchard and out west of depot camped and had lunch while we were there. Buck Wells and Willard Rennelds came up and Theile introduced me to Rennelds. Theile called me off to one side just before he and Johnson left for Boise and told me that anything I said to Wells in connection with the statement was all right as he Wells knew all about it. He said for me to ~~xxxxx~~ pretend as though I had buried Barneys body and clothes myself. Wells had a drawing room arranged. We traveled in that, drawing room and had our meals in the dining car. Stopped over night in Grand Junction. He asked me about a gun that I had spoken of in my statement. It was supposed to be the gun Collins was killed with. He said that some one found it between Pandora and Telluride. He also asked me if I ever heard about pederation People going to kidnap his children. I told him no. He asked me if I thought they would do it and I told him no. We staid over night at a hotel in Grand Junction and the next morning took the narrow guage to Mont Rose. While waiting for the train at Grand Junction they hid around the suburbs and kept telling me that they expected to be attacked by pederation men. Wells said he saw Ed Diechs there and at Mont Rose they acted and talked the same way. Also at Ridgway and in fact all the way in. Gregg Hanson met us at the landslide below Telluride with a two horse wagon. He had a sawed off shot gun a rifle and several six shooters. All were heavily armed. Wells had two 45 automatics and two 38 Smith and Wessons in his belt. I was taken to Smuggler Union office We took our meals in the regular dining room and I was assigned to a room up stairs where a guard was stationed who was to stay awake all night to protect me. Next morning before day light we started for location of Barneys body and we got there about eight or nine o'clock. Cary (the Pinkerton Assistant Superintendent from Denver) joined us at Mont Rose and was with us that morning. We left our team when the snow got too deep for us and at noon Cary was sent back for the lunch. I tried to locate the place by some

28.

logs that Orchard had described and a hollow. Orchard had repeatedly told me where this was previous to my making statement and afterwards. We had a good deal of trouble before I found anything that looked like the place. Finally we found some logs and a big chunk of wood (the roots of an old tree) that he had described to me. This chunk was supposed to indicate the place where body was supposed to be moved from and a creek or draw that ran down below. The snow was from four to six feet deep. This was in June (Theille says they started from the penitentiary on May 27th). We went to digging in snow. At 12 o'clock Cary went to wagon to get our lunch. He got lost and did not get back. We worked all day and found nothing. Then we went to wagon and found tongue of wagon broken out and Wells said he gused detective had gone after another rig. Soon Rennelds came with another rig and we went to Smuggler Union office and stayed over night.. Went back next morning and worked all day again. Runnels was with us that day. Found Nothing. I think we went a third day with the same result, so they gave it up. Next morning we went back to Idaho, coming the same way we went. ON this trip Wells told me that he alone had stuck up a saloon full of union men. Said he sat on a table with a sawed off shot gun in his lap and held them there until his crown came up. Then he lined them up and marched them down below town and ordered them to leave the country. He said a Cousin Jack named "Shorty Ben Bertha" started to leave saloon and he covered him with shot gun and ordered him to stay where he was. He spoke also of beating up several union men and running them out of camp. O policeman and Deputy Warden took us back to the pen in a closed carriage. I was turned into the female ward where my wife was and Harry Orchard n never ate with us any more and I never saw him any more except on Saturdays. When I was turned into the parade while the women were taking their baths. Before going to Telluride I made up my mind that if I should be killed while I was gone I would not die leaving a lying statement behind me against the Federation

officials, so I wrote out my confession as near as I could remember it. I then wrote a statement that this was made under the circumstances which I have stated here and that it was a lie and that I had made it under McParlands promises made to me and the promises which had been made to Orchard as he stated them to me, and that such statement was not made of my own knowledge and that it was a lie so far as it involved myself, Orchard, Haywood, Moyer, Pettibone, Simpkins, St John or anybody else in crime, and I told my wife if anything happened to me while I was gone so that I never came back to be sure and give it to the world so as to prevent a wrong to my memory or any of the men involved. I should state here that the first time I saw my attorney Moore alone at Boise in the pen and immediately after Ned Bond went out, I asked him to see the federation lawyers and he said "he would not; that he did not want anything to do with them; that he thought it was best for us to keep away from them."

T H E I L E .

I first saw Theille at the ranch where he arrested me. I have described that. On that trip he told me that Orchard had made a confession; that it involved me and that if I would do what they wanted me to that I would be all right. He said "All they want is them other men." He had already told me that the confession involved St John, Simpkins; Haywood; Moyer & Pettibone, and they were the men they were after. He said this several times between Baker City and Boise, and when I would say anything as to the position it put me and my family in he would say "Oh your all right all you have got to do is just as thouse fellows tell you and you will come out all right." I have already told about his calling the governor up. He visited me afterwards several times at the pen. Once after making the statement he came to ask about Simpkins. He asked me if I knew where he would be apt to find Simpkins, and I told him I thought on his timber claim in the Marble Creek District. He

then asked Orchard several questions. Got a description of his watch and chain; his eyes; his hair; his size, weight etc. He asked me if I knew what kind of a watch and chain he had. I said I knew. He had a quartz charm, but I knew nothing about his watch. He swore on the stand that I talked with him in the pen about my confession, but I did not. I never said a word to him about it except in the wagon going from Boise, and then only as to what was in the statement, and not what the fact was. He never did ask what the fact was, but only said "What was it you said in the statement about so and so, telling me that what he wanted was to get Simpkins. He came several times and brought us fruit and cigars, and jollied us up, and assured us that we were all right. He would say "Keep your Courage up and you will be all right" On one occasion he said "My Uncle had offered a million dollar bond for me but that they would not let me go back to the ranch because the Federation men would shoot me, on sight as quick as they would a snake. Another time I get a letter from my Uncle wanting me to come up and prove up on my land, so I had them send for

H A W L E Y

He came to the pen and I told him what my Uncle wanted, and offered to let them furnish their own guard and I would go up and back the same day as I did not want to loose my land. Hawley said he would take matter up and attend to it. Later I got another letter from my Uncle telling me that he would come down on business connected with the land and if agreeable he would take dinner. I asked the Warden if it would and he said certainly. So they had me write a letter to my Uncle telling him to keep away from the Federation People and to come alone, which he did. That was the first time I ever had a private word with my Uncle. I told him right then and there I wanted him to get out papers to get me out of there, and he said he would. The next thing I heard from him four or five days afterwards, the deputy warden came to my house and he said "Hawley says you must write a letter saying you dont want to see them, your

Ward had got out habeas corpus papers." This was in the fore part of September. I told him that if the lawyers were representing my Uncle and they came I did want to see them. He said "Oh that is the way of it is it." I said that is the way of it. Darrow, Governor Morrison and my Uncle came, and I was taken out to office but just before they came Deputy Mills came over and locked the big wall gate so I could neither look out or get out. Pretty soon Mr. Hawley came and they unlocked the gate and Hawley commenced to ask me some questions "He said -was this habeas corpus taken out by your consent- I told him Yes. That I was going to make a fight for my liberty. He said "We havn't a thing in the world against you" I says "Then I am at liberty to take my wife and walk out of here am I." He says "Oh no sir, you cant do that." He then went back to the office after shaking hands with me and bidding me good-bye. My wife was present and heard this conversation, and we both noticed that this big iron yard gate was left open when Hawley went out. In a few minutes a covered cab came up and I was taken to the office and met Darrow, Morrison and my Uncle who had come in it. Darrow asked for a private interview with me which was granted. Mr. Darrow told me he was representing my Uncle and asked me if I had concluded to make a fight for my liberty and I told him yes. Then we went out into the front office and I asked the Warden if my wife staid there over night would I be allowed to stay there, as I had before. He said "I will have to consider that matter." I then turned to my Uncle and I said. Take her away just as soon as you can. I was taken back then to where my wife was in the Female ward and in a short time my brother came up with an express wagon and took my wife and children to Boise. I was then taken in the office and in the little room between the two offices where I was searched by George Heubner and a guard by the name of Rich. I was then taken and put in the death cell from which Bond had just been taken and hung. I got nothing to eat until about 8 o'clock that night. I was taken into court the next day and discharged.

I was immediately rearrested by Sheriff Mosely charged with the Gregory murder. I was held in the County jail for a couple of days and was discharged on hearing, and immediately re-arrested by Sheriff Sutherland, taken back to Pen and again put in the death cell where I had two visitors. Moore came to cell. Said he saw where we were making a little commotion. Warden Whitney was with him. I told him to see my Uncle that I would not talk to him at all. I said emphatically to them. I will not talk to you at all. He bade me good bye and went away. During the time I was there I was taken out to the office where I met old McParland. He acted very cordially, shook hands and gave me some cigars. We both lighted up and commenced smoking. He commenced walking up and down and said he was going to give me a good fatherly ^{Talk}. He said "Now Steve you are sacrificing your life. You are sacrificing your family and your friends. These lawyers will do anything for money. They will pat you on the back from one court to another. You will be tried and convicted and they will still pat you on the back and tell you the case will be reversed. They will appeal and still pat you on the back and tell you that you will be all right until the case will be affirmed and you will stand on the scaffold a doomed man with the rope around your neck and all to save the lives of three of the worst cut throats, sons of bitches that ever breathed, and then where will your wife and babies be and where will you be. It will be too late then for me to do anything for you. I was going to protect you but now I have got to prosecute you." he waited every little while to give me an opportunity to say something. But I refused to open my mouth. He kept up that harrangue for about two hours. He spoke of a number of cases of horrible deaths where the lawyers had patted their clients on their back until they had been swung into eternity at the ropes end. Among other cases he mentioned was that of Tom Horn and he said he could have saved him if he only could get to him. He said that they sung a cow boy song

for fear he would say something when he got on the scaffold. Finally he said, I have told you all that I can . I have tried to be your friend, and you have heard it all and you havn't said a word, now you study over what I have told you. You had better save yourself before you get into the Courts for I will have to go on the stand against you and I dont want to do that. (Here he paused) Then he said. Any time you want to see me send for me. Just let it be known and I will be there.

Right after I was returned to my cell Warden Whitney handed me a Denver Post in which it was stated on the front page and in big head lines what a lot of crimes I was going to be charged with. After I had looked at it a moment he said "Now you see where you are at." I was kept in this death cell until the second day when Darrow and Morrison came down and asked Sutherland for a private interview with me and Sutherland rer fused. Darrow asked Sutherland some questions and Sutherland replied "I am only following orders." And Darrow said "Orders from whom." Sutherland said "I am no lawyer. You fellows are lawyers and I am not going to answer your questions. " Darrow asked me if any one had been around to see me I said I would rather answer that question privately. Sutherland refused to allow a private interview. Darrow says. I will take you out if you want me to. He said it is only a matter of a few hours any way. He asked Sutherland when he was going to take me out. Sutherland said to be honest with you I wont tell you. The Warden says "I promise you ~~my~~ one thang that after we lock up in the evening he wont be taken out before 7 o'clock the next morning." The next morning at about five o'clock the guard woke me up and told me to get my clothes on. The Warden and Gene Johnson and Sheriff Sutherland and myself went into the kitchen, ate a lunch, was taken to outside office and put into prison carriage, cut through the pen grounds to some station about ten miles from Boise where we flagged a passenger. We were nearly a week on the road and all the time first one and then another but principally Whitney

34

101 1951 DE MONTE 552 HOWEPPHIA 4/10/51

would keep pouring it into me about saving myself. Gene Johnson told me that Hawley actually cried, he felt so bad for me when he heard what I had done. Sutherland said over and over again that his advice to me was to save myself and not go into the courts at all. He says "You know Steve what it means when you get a case in court to get it out. He kept talking about dynamiters and at Grangeville he pretended he had seen a lot of them and that we might expect an attack and he said if they did "He would give them a run for their money" and Gene Johnson said "That he would give me a good gun and I could help." Whitney kept saying things like this "Now Steve you dont want to be a damn fool, you want to think of your friends, your family and yourself. The way you was is the only way you can do it. There aint a chance for you any other way in the world." After we got to Wallace and I was put in the county jail Louis Chandler, the deputy under Sutherland came and called me and says "Come here" unlocked the cage and started for back room. I protested. Told him I did not like that kind of work. He took me into back room where Old McParland was sitting behind the door. He got up reached out his hand and shook hands with me very cordially. Offered me a cigar which I refused " He says I just came to tell you something." He says "Darrow has got Mason and Glover ready to go on the stand against you. He says that will save me from having to do it which I am very glad of as I hated to do it myself." I says "McParland you know that is not right. Have that door opened. I want out of here. If you dont I will kick it down" He then shook hands with me and had door opened and I was put in cell and kept shut up in cell for one month and was not allowed the priveliges of the corridor. After a month I was turned in with the open prisoners and ever since have had the same priveliges as the rest.

THE IRON HISTORY OF MY CONNECTION

with

HARRY ORCHARD.

The first time I ever met Orchard was in Independence. That was during the rail pulling trial. I was out on bonds and attending the trial. Parger, Foster and Davis were on trial and two Pinkertons. One named McKinney and another named Beckman pretended to be implicated with them. We just scraped up an acquaintance. He was living between Aultman and Independence with his wife.

Date *About Jan. 1904.*

I was living with my wife at Independence. About one half mile from Orchards. All of us were out of work and after the trial was over we concluded to go to Denver as we were and had been living on relief from the Union store to see if we could not get a job and make a living for our families. Orchard and I had got pretty well acquainted during the trial. We went to Denver together leaving our wives and got a room at 38 and Downing Ave. . We staid there together for two or three weeks on the look out for some opportunity to get something to do to support our families. Not finding anything I went back to Independence to my family. I left orchard in Denver. He went under the name of Dempsey. I was going under the name of John Ward. This was because the Mine Owners Association had a list (called a black list) of all the names of the members of the Western Federation, and it was impossible to get a job under our own names. At different times I have been compelled to assume different names for that reason only. A short time after that I returned, Orchard came back. I saw him several times but I had nothing to do with him any more than the other miners whom I knew. I saw him around there off and on all that winter and spring. I was living on relief and could not get a job in the district. On day I saw him and Neville whom I had known as a saloon keeper there

and they said they were going to buy a team and wagon that they were going up into Wyoming and were going to hunt on the way and wanted me to show them my brothers team as they understood it was for sale. They having had some talk with him before that. My brother Joe owned the team. He was living with my brother Will. I took them to my brother Wills house as I knew Joe was there. They went to talking to Joe about the team and they started towards the stable where the team was and I turned around and went back to my house.

I saw Orchard the day he started on this hunt. He bought my brothers team and I met him on my way down to Bowmans, whom I was getting to move some of my things to Midway. He said he was leaving the country, going up into Wyoming on a big hunting and prospecting trip. Nevelle was not with him. He bade me good bye, saying he did not know as he would ever see me again? I did not see him again until I saw him in Denver about five or six days afterwards. The next morning after Orchard left the independence depot was blown up, and almost immediately after that the Mine Owners and the Militia started to deport the miners. That meant me and I heard in Cripple Creek that they were after me. Mrs. Mahoney, my wife and myself were on the street and a woman came up and told us that a mob was looking for me and a lot of others and that they would kill us if I did not get out, so I started the evening of the 6th. I went home and got my reifle and started across the country to South Platte. There I took a train to Denver. I went up to head-quarters where there were a large number of miners who had been run out of the district same as myself. We were all directed to go to the Belmont where arrangements had been made to take care of us until we could make some arrangements for ourselves and families. I knew J.L. Simpkins. I learned that he was in town, and had a room at the Granite Block. I went to see him. Kirwan and a number of others were rooming in the same place. I think the Executive Board was holding a session in Denver, and a large number of the miners called while I was there. Among others Orchard. When he came in some one remarked "Here is another of the overland members." The explosion was talked of and all deplored it. The general opinion was that it was a very bad thing for the miners and a very good thing for the Mine Owners Association, and that it was just the thing needed to distract attention from the Moyer decision. The next day I wanted to get some money to my wife. When I left she was on relief and needed no money. I needed all I had, but when I got to Denver concluded to send for her. I knew Pettibone was a man who was friendly to the miners. We all knew that he had suffered

in the Couer d Alenes and that he had a friendly feeling for us and would do anything he could for us, so I went to him and asked him if he knew of any way to get \$100. to my wife which I wanted to send her. He said he would find a way to do it, and I gave him \$100. for that purpose. My wife came in a few days after that and came to the Belmont where I was stopping and said she had not received the money, so I sent her down to Pettibones to get it. His store was in the same building and underneath the rooming house. I saw Orchard only once after that and that was in Pettibones store. He was looking at some fishing tackle which he said Pettibone had bought for him as he could get it cheaper than he (Orchard) could. I never saw Orchard again until sometime late in that fall or early in the winter when he came back to Denver. I was in Pettibones store. The telephone rang and Pettibone answered it. Hung up the hook and said come on and go with me, I have just had a phone from Orchard and I am going to his room. We went to a rooming house on Welton St. I think between 18th and 19th, and saw Orchard with a soldiers uniform on. He said he had just come from California and he put on that uniform because he heard Ed Bell and his gang was looking for him. We chatted a few minutes. He told me he was broke and didn't have a cent. I told him that I didn't have much but if he could put up with it he could go out and stop with me. At that time I was living in two furnished rooms at 2443 Clarkson St. Billy Aikman was already stopping in the same house, in a rented room and he slept with Aikman and they both ate with me. We continued to live there some little time when I moved to 2856 Welton. Both went with us. We rented three rooms. We staid there until we moved to Globeville sometime in January 1905. Orchard went with us but Aikman did not. We lived in Globeville a little over a month when I left and went to Park City, Utah. Before leaving I told Orchard to get some other place and he did, sending a wagon after his things. I kept a sawed off shot gun a six shooter of his because he was oweing for his board and washing. He had been

with us about 8 or 9 weeks in all and just before I was leaving for Park City he handed me \$20. on account of his board. This is the only money of any kind or amount that he ever gave me in his life. I never saw the man again until I was thrown in the pen.

I told either Hawley or put it in the statement I am not sure which that Ed Minister asked Haywood to show me the Gleason shell. I told them that Haywood did, but it is a damned lie. The reason I did that was because they were constantly trying to have me say something which would connect M.H. & P. with some crime, and so I invented this and other things like it to help them out on account of their promises to me. I also told them that Haywood sent Edward M. Lee in Jackson California \$200. and that I got half of it. The fact is that I know nothing of the kind, but I do know that I did not get any \$100. from them. I saw emphatically that while I know both Meyer and Haywood, I know them only as Officers of the Federation. That I never received a cent from either of them directly or indirectly, except in the way of relief through the regular channels for which either my receipt or the receipt of my wife was always given, and except the \$75. which I wired for at Ogden when I returned from California which was sent us as I have stated. So far as Pettibone is concerned the only money I ever had from him directly or indirectly was \$50. which I wired him for one time when I was in Goldfield and was sick in the fall of 1904, which money I paid back after I got well and when I returned to Denver.

HISTORY OF THE TYLER MATTER.

When I was run out of Cripple Creek on the evening of June 6th 1904, and went to Denver, that was the first time I ever saw Simpkins

to know him. I had no special or private conversation with him whatever. Along about the latter part of June all sorts of rumors were going around as to different men being put under arrest. I saw in the paper that I was one of the men that was wanted. I had served 93 days in Jail without a particle of cause or evidence against me. Moyer had been in jail for a long time and I think was then. I knew if I was arrested that they would do with me as they liked. I knew I could not get a trial and if I did get one, I would have no show for justice. We all felt that way, so I went to Pettibone and told him what I had read. He said that the best thing I could do would be to light out; that the best place to go would be up in the Couer d'Alenes; that Simpkins had a timber claim way back in the mountains which he understood was valuable and if I went up there I might be able to get hold of a good claim and make my time count and be safe from Bell and his mob at the same time. I had \$125. and I left \$150. with my wife. We were living on relief and holding on to every cent of cash we had. I came to Wallace arriving on the night of the 2nd of July. I beat my way part of the way on freight trains and rode on a ticket part of the way. I stopped off at Wardner, went to Simpkins house and his wife said he was up on his timber claim, but would soon be down; that she was looking for him every day, so I caught a freight on to Wallace, stayed in Wallace on the night of the 2nd; ~~on~~ third went to Burke to see St John as I had heard he was up there and also to see the town as I had never been up in the Couer d'Alenes before. I saw St John but only for a few minutes; staid there ^{at a logging home} over night and went to Wallace and spent the fourth but returned to Burke on the night of the fourth with a miner whom I had met before in Colorado. It was so crowded in Wallace that it was not easy to find a place to sleep and he invited me to go and sleep with him. I came back to Wallace again on the afternoon of the 5th. I met Governor Coates and asked him if he knew if Simpkins had got back and he said he had, so I walked down to Wardner that night, and went to Simpkins

house, he was in bed, and said he had no extra bed, and so he sent me to hotel, but told me to come up to breakfast early as he wanted to go to his timber claim that day. Next morning I went up to breakfast and I told him what I wanted to do, and what Pettibone had said about it. He said all right come right along with me today. I am glad to have your company. He said its damn lonesome up in the woods alone. I want to do some clearing and improving and I can use you. We got as far as masons that night, and to Ray Welds the next night, and to his cabin early the next day. I was never more than six miles from Simpkins claim after that until I came out in the fore part of august and I have never been in there since. I did not take any notes of the dates of these things. I remember of going in because of the fourth of July and I know it was in the fore part of August when I came out for something occurred to call my attention to the date when I took the boat at the head of navigation. I do not know what it was but I do remember that some one said it was the 8th of August. Jack and I came out to prices together. I left him at prices, got a horse and rode to the boat. He agreed to follow and meet me at Couer D 'Alene city in a few days. He said he had some business to look after before he came over. During my stay there we had talked about my getting a claim, and Jack had said that he knew a man in Couer d 'Alene city who had a claim and that he thought it could be bought at a very low price, and it was agreed that as soon as he could he should come on to Couer D'Alene City and see the man and see if the claim could be secured. If so I was going back into the country, otherwise I had made no plans at that time.

So on that day, if it was the 8th, I went down to Couer d' Alene City on the same boat that I took at the head of navigation, and the electric train from there to Spokane. I got there late that night I stayed in Spokane three or four days. I got off about the time the car was well into the city and hunted up a cheap lodging house. I went into a stair way that had a rented room sign. I paid 25 cents for a bed. I was not asked to register. I ate in restaurants. I did not pay much attention to that matter. I had been up in the mountains for sometime and the fact is, I drank considerable beer for two or three days. I went to some theatre which was not very far from where I lodged the first night. I do not remember the name of the theatre but it was a variety show. I do remember that I staid two nights in the first lodging house. Then I went to another lodging house where I stayed one night and I am not certain but that I stayed two nights in that lodging house, I think I did. While I was there and after I had looked about the city pretty well I went out to see my aunt. First I met my Uncle and my Cousin at my Cousins store, and that night they invited me to go out to their house, which was out about a mile and a half on two miles from the city at a place they called garden Place. I staid there that night. The next morning I went with my Aunt to see my Cousins wife and baby which were in the hospital. That evening I took the car to Couer d' Alene City where I met yr. Simpkins. We staid there three or four days. He was looking for this man whose name he told me/ but I have forgotten it. We then came to wardner. We staid at Simpkins house until Mrs. Simpkins ~~xxxxxxx~~ who was absent returned. While there we had our pictures taken together and that was the picture that was given to Theille. On her return I went back with Jack as far as wasons, but no further. We had a little fishing and hunting on the river. I stopped with Glover and I have forgotten whether Jack went into his claim or not, but it seems to me that he went back out again. I staid at

Glovers just about a week when I got a letter from my wife begging me to come home and saying that she thought it was perfectly safe for me to do so. Mr. Simpkins brought this letter up for me from Gerdon. Simpkins and Glover took me down to the head of navigation in a boat. I took a boat there to Couer d' Alene City and that is the last time I have ever seen Glover or Mason, except that I saw Glover in this jail, but had no opportunity to speak to him. I afterwards saw Simpkins in Denver when he was there attending a meeting of the Board for not more than five minutes, and that is the only time that I have seen him since I left. I told them that Mason gave me \$100. for killing Tyler and that I did not know where he got the money. Mason never did give me any money but they wanted me to say that Simpkins did so as to connect him up with the job as they wanted to be certain that they could convict Simpkins. I was not willing to lie to that extent to hurt Simpkins, but as they had told me that no one would be hurt that I implicated nor anything I said about it would be used against any body but the Federation men I thought it would do Mason no harm to say that he paid me \$100. and it would keep them from pestering me any more about it. It is not true that Mason paid me \$100. or any sum for killing Tyler, or any one else. It is not true that he ever paid me anything at all. He never paid me a cent in his life. Simpkins and I helped Mason build a cabin, but simply as neighbors do in that country, and whenever I was in that vicinity I would eat with Mason at his cabin. So far as Tyler was concerned I never saw him to be near to him but once or twice. The night we went in he stepped at the door of Welds cabin. Our guns were wet. I had a 38 automatic Colts, Jack had a rifle. We were cleaning them on the porch. Tyler came up and looked at my gun. I handed it over to him and he examined it, and said it was a fine looking gun. Everybody was perfectly friendly so far as I could see. Ray Welds and his sister both saw and heard all that was done and said. Jack told me sometime afterwards that Tyler had a cabin on his ground and that he had offered him \$100. to

move on to some other claim. He said that Tyler had said he would study about it and let him know. The shooting story told by Phillips on the stand had a little truth in it. Jack and I were going down the trail to Masens one afternoon. A ground hog was lying in the trail over a log. As we came along he set up there and I shot him with Jacks rifle. There was but one shot fired. We picked him up and took him to a little creek just below Tylers cabin. There we skinned him and hung him up in a little cabin Jack had there. After the shot was fired Phillips and Tyler came out of Tylers cabin and came to the top of the bank and watched us skin him. There were not four shots fired by any bondy. We went on to Masens and came back about dusk, and got the ground hog and took him to Jacks cabin and cooked and ate him.

During the four ^{to six} days I was in the cell with Orchard he told me that they wanted to connect Simpkins up with the killing of Tyler and Boule. He said that they had got enough evidence to convict Simpkins any way, but they wanted to cinch it, and that he had told them that I was up in there that summer and that I could furnish the evidence. He said You want to tell them that Simpkins and you and Clover and Mason and somebody named Andrew (He told me his name but I have forgotten it)(he said he was a red headed fellow who had lived at prices place) had killed both of them. He told me that both bodies had been found. One of them about the time it was killed and the other a long time afterwards. He said that it happened all right that they was killed and I might just as well put it up that Simpkins put up the job, and these others who were suspected and myself helped to do it. He told me that they afterwards dynamited the jumpers cabins and so I put that in the statement. He told me that what he had told would insure Simpkins death any way and so I thought no harm could come from my lying about it as McParland repeatedly told me before I made any statement at all that no one would be harmed but the federation men, Moyer, Haywood, Pettibone, St John and Simpkins. I knew the danger to me

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guilty or innocent of having any connection with the Western Federation of miners. I knew that they could prove that I had been a member along time. I knew that I was in Telluride when Collins was killed. I knew I was in Cripple Creek when the two men were killed in the Vindicator shaft. I knew I was there when the Independence depot blew up and I knew that it did not make any difference to the Mine owners Association whether I was guilty or innocent; that they would do their best to hang me if they started out. I knew from what Orchard had said that they intended to get the Big fellows. I knew from what McParland had said that he was trying to make me out the tool of what he kept calling the "Inner Circle." He tried to make me over and over again say that there was an "Inner Circle." but I had never heard of anything of that kind and I would not say it, and I then believed that they would get them any how, and I loved my wife and my babies and her babies, and I thought after my two talks with McParland and after four days talk by Orchard that as I was only a small fish in the Federation that I might get off by lying, and this was just what both Orchard and McParland knew I was going to do if I said anything at all. Believing this I finally yielded to McParlands wishes. While he was promising me safety he was also convincing me and he did convince me that it made no difference what I said, he had the power to hang or pardon me. It commenced with what Brown told me. Then Theile kept it up, then Orchard, then the warden and then McParland and when they got through I was willing to do or say anything, but I was promised again and again that my story would harm no one except the Federation men; that I have named so often, and that I would save myself and that they were going to get those men any how, so I was doing no real harm to them.

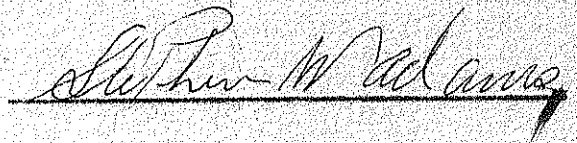
I have dictated all of this matter to Edmund F. Richardson in the womens room in the County Jail of Shoshone County commencing

on Saturday Feby. 2nd, continuing on Sunday Feby. 3rd, Mon. Feby. 4th, Tuesday Feby. 5th, and concluding Wednesday Feby. 6th, when the writing was completed. All of this was written down almost without the change of a word by Mr. Richardson and I watched his pencil and saw every word that he wrote as he wrote it, only when I found trouble to express myself he helped me out, but never wrote a word that did not have my full approval, and I now sign my name to it with the statement that I am only glad that I have lived long enough to contradict the lying statements made by and forced upon me for signature by James McParland, seeking to send innocent men to the gallows. This is done not only freely and voluntarily but gladly and under the immediate presence, but not in the sight of my jailer who has at all times been not to exceed ten or twelve feet from Mr. Richardson and myself while this statement was being written.

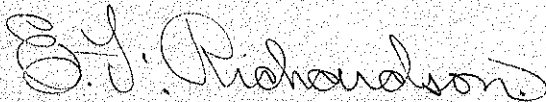
Dated February 6th A.D. 1907.

(Signed) Stephen W. Adams.

The foregoing article having been transcribed in four parts I do hereby certify that I have carefully read the same and that it is correct and in evidence thereof I do hereby set my signature this 7th day of February A.D. 1907.



Witness:



Spokane, Wash. April 18th, 1906.

Dear Mr. Darrow:-

I brought my machine along with me on this trip and so I am not dictating this letter to any public stenographer, an explanation which I will hasten to make at the start for obvious reasons. Also I am sending a carbon copy of this letter to Mr. Richardson at Denver.

I reached Wallace Idaho Monday afternoon the 16th, inst and found Mrs. Hutton at home but was unable to see her until evening and then only for a few moments as she had a theater party on her hands and could not take the time. Mr. Hutton was not at home but was in Portland and I am expecting to see him today or tomorrow. I had a talk with Mrs. Hutton yesterday and got from her a good deal of information about Orchard and his career about this mining district. I think I will be able to have his record fairly complete for the past eight years. I will be able to get all that Mr. Hutton knows about him but have no encouragement that he will be able to tell me anything of his previous history or his real name, if he has another name, ~~XXXXXXXXXXXXXXXXXXXX~~. I have several leads to follow up however and hope to be able to get a good start from this point.

I have learned that Orchard got \$300. from one of the largest owners of the Hercules mine on September 20th, last and gave his note for 90 days in exchange for the money and that the note has not been paid and if we are unable to produce the note we can produce at least two people who have seen it. I think that we will be able to get the note itself. This note fell due Dec. 30th, and the murder of Steunenberg occurred some ten days later. There are some rumors which I will try to trace that Orchard received a package of money by express at Cheyenne Wyoming about a month prior to the killing of Steunenberg.

48.
Archives
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I think that within a few days I will be able to get Orchard's record complete for the eight years he has been known in these parts at least the portion of it that is connected with this district. Of course if Mr. Richardson has this I should be advised immediately by wire. Unless otherwise advised I shall continue on this line in the hope of getting a clew that will enable me to get Orchard's previous history. Mrs Hutton says that her husband does not know Orchard's real name if he has another but I will learn definitely when I see him.

I find there is a good deal of apprehension on the part of people in this district that some of them will be compelled to testify in this case because of their familiarity with or participation in the trouble that occurred here some years ago, and that for this reason some who would otherwise be willing to talk freely have shut up like clams. It will be a little difficult to break through this reserve but I think we will be able to get everything of importance in reference to Orchard.

Yours very truly,

H. E. Dickson

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49

Spokane, Wash. April 20th, 1906.

Dear Mr. Darrow:-

I have not yet been able to see Mr. Hutton but expect to see him tomorrow. Mr. Fred Miller is here and we have an appointment this evening with Mr. Coates of the Idaho Tribune at Wallace. He is to be here with some other parties and will be able to furnish Orchard's record complete so far as it is connected with this section of the country.

The "easy" task of getting Orchard's real name from Hutton is under way but I have very grave doubts about getting any information from Mr. Hutton. I am sure I could under ordinary circumstances but he knows Orchard's real name only by virtue of having been the master of the Masonic Lodge at Wallace, and it fell to his lot to receive Orchard's demit or whatever it is that serves as credentials from one Masonic Lodge to another and in the course of establishing Orchard as a member of the Wallace Lodge Mr. Hutton became possessed of his real name. Mrs. Hutton did not know that her husband had this information but has set to work to get it for me and while she says she has never failed to get his assistance or any information she desired from him she at least appreciates the difficulty of the task before her. Mr. Hutton did not come to Spokane and Mrs. Hutton left yesterday to meet him in Wallace, and I am to see them tomorrow in Wallace or on Monday here. Mr. Hutton very much desires to have his wife discontinue her activity in matters of this sort and is very conservative himself and wishes to have nothing whatever to do with the matter but is a little apprehensive that on account of his connection with the trouble in 1899 he may be drawn into this case as a witness for some purpose, a thing which he will do all he can to avoid. Mrs. Hutton is true blue.

50.

Archives
University of Colorado
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Through Mrs. Hutton I met a Mr. J. D. Neilan who is pastor of the Congregational Church at Wallace. He has been there for about a year and is an intimate friend of Coates and in thorough sympathy with our side of the case. He was formerly a carpenter and at the head of the Carpenters organization in St. Louis, Mo. He is an able fellow and is reading law. He says he may enter the profession. Neilan says he has some friends in Boise who are in touch with all that the prosecution are doing, their plans etc. and that if our source of information can be kept secret he can go to Boise for two or three days and find out anything of this character we desire to know. I took the matter up with Mr. Miller and we have concluded to send Neilan down there and I am to see him in Wallace, probably tomorrow, and arrange with him to go at once to Boise.

Mrs. Hutton knows W. E. Borah intimately. He is the leading attorney of the Idaho bar and as Mr. Richardson knows is the chief legal light against us in this fight. Borah receives \$5000. a year as a retainer from the Hercules mine, and Mrs. Hutton claims that he has this place through her manipulations. She says he is very susceptible to the charms of young women and that a fairly attractive young woman who is a good stenographer could be used to great advantage etc. She must not do anything to compromise herself but at the same time must not be exactly like a lump of ice. In other words must string him along for a month or two during which time she will be able to get his innermost thoughts and plans Mrs. H. says that Borah does not know it but that he has been worked in this way before and charged the leak to eves-droppers. She is positive this plan will produce excellent results and if she had the right young woman she could manage the details of installing her in the right place from which to operate. I will talk about this further when I see you.

G. E. D.

51
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Spokane, Wash. April 25th, 1906.

Dear Mr. Darrow:-

I finally managed to see Mr. Hutton today. He says Orchard did not join the Wallace Lodge of Masons; that he merely visited once; that he was one of a committee on that occasion to ascertain if Orchard was a mason; that for some unaccountable reason Orchard did not register and he does not know of any other name than Orchard. Mr. Hutton says his recollection is that Orchard joined the Masonic Fraternity somewhere in Canada but does not know where.

Orchard first appeared at Wallace in 1896 and it was in that year or 1897 that he visited the lodge. He first worked for a man by the name of Max Markwell who operated a dairy. Orchard milked cows and drove a milk wagon for a year or two and a fellow workman was August Paulson. Orchard was fired for knocking down receipts on the milk route but while in the employ of Markwell he acquired an interest in the Hercules mine as did both Paulson and Markwell. Paulson and Markwell will not be willing witnesses if they should be wanted to testify to anything in Orchard's career. Both have become millionaires through their interest in the Hercules mine. Orchard had the same interest they did but through gambling got into debt and sold his interest for \$600. Orchard worked rather intermittently for a time after leaving Markwell but finally formed a partnership with J. A. McAlpin in the wood business. They hauled wood to Wallace for use as fuel. This partnership lasted about a year when it was dissolved by McAlpin buying Orchard's interest. McAlpin bought Orchard out because he found him irresponsible, dishonest and unreliable. He was prone to use the firms money for gambling etc. J. A. McAlpin desires to keep out of the present trouble but can be relied upon absolutely and used if necessary as a witness.

I am becoming convinced that Orchard is the real name of our subject. McAlpin tells me that Orchard told him he was born in Canada; that he formerly worked at a cheese factory near Toronto; that he got into trouble with a girl there, got her in a family way and was obliged to leave. That he once lived at Port Huron Mich. where his uncle was postmaster but McAlpin does not know the uncle's name. Orchard claimed to McAlpin that he got into trouble at Port Huron with the Postal Authorities and had to leave. McAlpin got the impression that Orchard worked about the Post Office and did some crooked work that caused the trouble. McAlpin is the manager of the Ajax Mining Co. at Burke Idaho and lives at 02403 Cincinnati St. Spokane, Wash. He has given me the name of a man in Wallace who he thinks will be able to tell me all about Orchard's family and I am going there again tomorrow.

When the Bunker Hill and Sullivan mill was blown up in 1899 Orchard was in the gang and when the Bull Pen was established he escaped over the mountains to Missoula where he remained for several weeks and never returned to Wallace until last September. He then appeared about town and was much in the company of Jack Simkins and made a proposition to D. C. Coates or rather announced to Coates that he intended to pull off something that would produce a lot of money. He told Coates he intended to kidnap August Paulson's child. (It is now about two years old) He said he would get away with the kid and hold it for a reward of \$50,000. Coates denounced the scheme and threatened to expose Orchard if he attempted such a thing and it is understood that Jack Simkins also disapproved of it and it was dropped. All this time Orchard was visiting a great deal at Paulson's home and when he finally left in December he asked for and got from Paulson \$300. and gave his note for the money. He met Coates on the street and told him how easy it was to get the money and that he was kicking himself for not asking for

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\$500. It is a fact that Orchard was hard pressed for funds all the time he was in Wallace last fall and the only money he seems to have received was this \$300. from his old friend Paulson who is a millionaire mine owner.

Miller tells me that Jack Simkins was in Western Washington at the time Steunenberg was assassinated. Jack Simkins is the member of the executive board for this district and Governor Gooding of Idaho has offered a reward of \$2000. for his capture. There are some important matters which should be taken up with Mr. Richardson touching this feature of the case and for reasons which Mr. Richardson will doubtless understand he has refused to take Miller into his confidence. I refer to Coates and when I see him tomorrow we will determine whether the situation warrants Coates making a trip to Denver immediately. The leaders here deplore the connection of Miller with the case and have most excellent reasons for their position and it seems to me that this matter should be taken up at once by Mr. Richardson. I will simply say that I am informed that disbarment proceedings will be instituted this fall against Miller's firm for some disreputable practices which they have been engaged in. It is understood that Robertson knows the whereabouts of Simkins and his actions indicate that he is considering the advisability of letting him be arrested. It seems Robertson would like to be in this case and sees no chance to get in and that he has been employed by August Paulson to defend Simkins if he is arrested. Paulson feels grateful to Simkins so it is said for preventing the kidnaping of his child and this is the reason he is willing to stand the expense of Simkins defense. It would look strange indeed for a wealthy mine owner to be furnishing Orchard with money before the assassination and standing ready to defend Simkins after it is over if we did not understand the real reasons.

The leaders here claim Robertson has betrayed them before and fear he will do so again in this matter and there is much concern felt for the safety of Simkins. He demanded that Tom Heney go to Denver and get \$8000/ of which \$1500. was to belong to Heney, a like amount to Robertson and \$5000. was to be used to get Simkins out of the country. Heney refused to go or have anything to do with it for he thinks that Robertson, who claims the Federation owes him \$5000. would keep the entire amount and then possibly give Simkins up into the bargain.

I regret to have to mention these things but they are common talk among the boys here and some attention must be given to them.

G. L. Brokaw, who is in jail here awaiting trial on a charge of getting money under false pretenses told Miller and me today that Orchard told him a year ago that he had been in the employ of the Pinkerton Detective Agency for some time and was thinking of entering their service again. The two men were together for some ten days prior to May 26th, last. They met in Seattle and went to British Columbia together and finally separated in Spokane on the above date.

I expect to get through at Wallace by Friday and my plan is to return to look up Orchard's record in the East at once but will probably return through Denver and Coates may go with me.

Yours very truly,

E. E. Dickson

53

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Law Office of
Geo. E. Dickson

133 N. HALLE STREET
SUITE 1018
CHICAGO

May 6th, 1906.

Dear Mr. Richardson:-

I reached Chicago yesterday morning and leave this afternoon for Napanee Ontario. I saw J. H. Scott in Hartley Iowa, and he did not know Orchard prior to his appearance at Wallace in April 1897., but he told me that when Orchard first went to Wallace he told Scott that he knew Scott's brothers at Napanee Ontario and called them by their first names. Scott did not remember Orchard but says that Orchard recalled several incidents which left no doubt in his mind that Orchard came from the same locality he did. Orchard told Scott that he had been managing a cheese factory at Morvan, a small town near Napanee, but gave no reason for leaving and going to Wallace.

Scott gave me the names of three brothers who live at Napanee and assures me that any one of them can tell me all about Orchard's career in that locality. Scott says that when Orchard tried to sell him his interest in the Hercules mine for \$400. some time before the Coeur d'Alene trouble he stated that he intended to return to Fredericksburg Ontario and run a cheese factory. Scott seems confident that Orchard did return to Fredericksburg or to that neighborhood shortly after leaving Wallace in 1899. He says he saw a letter which Orchard wrote to Markwell from Canada in which he inquired as to the truth of the report that the Hercules mine had developed into one of the richest in the world and wondering whether Dan Cordona, the man who bought his interest, would give him enough money to buy a small farm near Fredericksburg. I was unable to see Markwell at Wallace without waiting a day or two longer or I probably would have gotten this information from him direct. It would seem therefore that Orchard returned to Canada for a few years and I have not heard of his being seen in the West between that time and the commencement of the Colorado trouble. When he next appeared out

54
Archives
University of Colorado
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west he had abandoned the name of Orchard and used the name of James Hogan and it is probably true that if Orchard had a criminal record in Canada it was acquired since the 1899 trouble at Wallace. Also I believe he was using the name Hogan when he stated to Pettibone that only one man in the West knew his real name. Orchard's talks with Scott and his letter to Markwell which was to be replied to at the same locality in Canada where he had been before going to Wallace in 1897., seem to indicate that the fellow's real name is Orchard.

Scott says that the picture I got from the Denver News is an excellent likeness of Orchard as does Miller so I am quite confident that my trip to Napanee will develop a good deal of information about the man. If Orchard had a criminal record prior to his first appearance at Wallace he would hardly have gone to a famous mining camp that is visited by people from all over the world and would hardly have taken a job driving a milk wagon which kept him on the streets and in the public view all the time. Nor is it likely he would have visited the Masonic Lodge at Wallace and disclosed any information about himself. His statement to McAlpin that he had worked at a cheese factory near Toronto and left on account of getting into trouble with a girl there is probably correct and I am inclined to think that this is probably the extent of his criminal operations prior to going to Wallace in April 1897. He got his employment with Markwell through a labor employment office in Spokane which sent him to Wallace. If the theory that Orchard has been operating with the Pinkertons since his return to Colorado, is correct, we can easily see his motive for trying to impress Pettibone and Simkins with the fact that he was a desperate criminal and the logical man to undertake any desperate job they might have. He told no such tales of murders etc before appearing in Colorado and his whole career of two years at Wallace seems to negative the idea that he had had any such career. He was rather bashful and timid to a fault and according to Scott on one occasion took unmerited abuse from a man

55

Archives
University of Colorado
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was his inferior in size and physical ability without resenting it, and when upbraided by his friends for doing so he replied that he did not care to get into trouble.

I realize the danger of having a theory when looking for facts and ofcourse will not allow any preconceived theory ^{to} influence my investigation of Orchard's career.

I was at Labor Headquarters here yesterday and as I had anticipated the first question I had to meet was the label on that circular to which I called your attention when I saw you in Denver. The response will be ten fold greater if the printers union label is used instead of the I.W.W. label and I trust that you will follow up this matter and see that any new matter sent this way ~~we~~ have the printers label attached. It is a concession that means nothing important to the miners in comparison with the benefits accruing and while we are after contributions from the A. F. of L. organizations it is highly advisable to have the miners make the task as easy as possible instead of imposing a handicap on our efforts.

I think this suggestion would apply as well to matter that is sent out west for the A. F. of L. Organizations are strong in many places there and the Boise Unionist or Idaho Unionist, I believe it is, which is doing the case so much good in Idaho, uses only the regular printers label. The same is true of most of the other western labor publications.

Yours very truly,

Geo. E. Dickson

56.

Archives
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Chicago, Ill., May 16, 1906.

Mr. E. F. Richardson,

Denver, Colo.

My dear Mr. Richardson:--

I have investigated all the clues we had as to Orchard's alleged career in the East and find all of these stories to be without foundation in fact.

The first place I went was to Napanee, Ontario where, according to the stories Orchard told Jep Scott, of Wallace, Idaho, he had formerly lived. He stated to Mr. Scott that he formerly worked in a cheese factory near Morvan, Ontario. Morvan I found to be simply a country post office, there are no stores and the post office is ~~simply~~ kept with a farm house. There are five cheese factories in that locality and I interviewed the present proprietors of all of these and others where there were any indications that Orchard might have been employed, and, as all of the factories had changed hands from one to half dozen or more times in the past fifteen or twenty years, this involved seeing a good many people. Orchard had stated to Scott that he knew Scott's brother in Napanee and mentioned Lester Scott as being the one he knew best. Lester Scott is a barber and has been in charge of the barber shop at the Campbell House in Napanee for thirty years. He says the face looks familiar, but that it is undoubtedly that of a man who was in the locality but a short time and he could not call the name. I saw two cheese buyers, who visit all the factories in the locality once a week, and have for fifteen or twenty years past, but they could give no suggestions, although they, as well as a number of others, said that there was something familiar about the face.

I also went to Kingston, Ontario and saw Mr. George Robinson, who is now Government Inspector of cheese making, and in this capacity visits all the factories in that part of Ontario and knows all the cheese makers in the country. He was also the former proprietor, from 1890 to 1895, of the Cheese Factory near Morvan, and where it is probable Orchard worked, if at all, as that factory fits the description given by him better than any other. He could not place our man, although he said the face looked familiar. After I left Kingston and had reached Port Huron, Michigan, I received a letter from Lester Scott and another from Elias Smith, a farmer who lives near the Morvan factory, and they had concluded that the picture was that of Robert Washburn, a cheese maker who formerly worked at this Morvan cheese factory. I returned to Napanee to investigate this, but within two days had located Washburn at a cheese factory about thirty miles from Napanee, so that this clue was worthless.

It seems altogether likely that Orchard worked in this locality at sometime, but it was probably only for a short time, and it is impossible now to get any trace of where he came from or where he went to or to learn, with absolute certainty, that he was ever there.

51
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58

I then went to Utica, New York and took a Bleeker Street car line, which runs east on a road which would be a continuation of Bleeker Street, for some twenty miles. I stopped off at Frankfort, a town nine miles east of Utica, and saw people, and also along the road closer to Utica and could find no one who recognized the picture, but had hardly expected that. I saw parties who have lived in that locality for the past fifty years, among them was Joseph J. Duddleston, an attorney who was prosecuting attorney of that county about twenty years ago. He is familiar with the record of crimes committed in the country and especially in his own locality as he has always practiced in Frankfort, and he says no such crime as that described by Orchard to Pettibone was committed in that locality. Orchard, it will be remembered, stated to Pettibone that he was born about seven miles east of Utica on his father's farm, where he lived until about seventeen years of age, when he killed his brother with a pitch fork and left the country. Thirty-eight years ago a young fellow, about twenty years of age by the name of Jake Sterling, was killed with a pitch fork in that locality, and the circumstances were that Sterling and another young fellow, Watson Wood, were stealing pears from the orchard of Seth Rose. It was a dark night and Rose discovered the pilfering and chased the boys out of the orchard, and was so close behind them that when they reached the highway and climbed the fence one boy ran in one direction and the other in the opposite direction. In getting over the fence they had dropped the sack, in which they expected to carry away the pears, and as this had the name of a farmer for whom one of the boys worked on it, they probably both thought it advisable to sneak back and recover the sack. The theory is that both did so and on reaching the vicinity encountered each other, each thinking they had encountered the farmer lying in wait. Sterling was found the next morning dead in the road and close to him was a pitch fork, the tines of which had evidently pierced his skull. Rose, the farmer, was held to the grand jury by the court-martial jury, but was not indicted. Watson Wood also denied committing the crime, and both men remained in the locality. Rose died some years ago and Watson Wood lives only a short distance away, in another town. Neither the name of Orchard or Hogan is known in that locality, and of course the crime I described occurred too far back for Orchard to have had anything to do with it. If he ever lived in that locality, however, he is familiar with the circumstances of this murder. Orchard stated that his father owned a farm of about 200 acres. All the farms in that locality are, and have been for the past thirty years, quite small. The largest farm between Frankfort and Utica contains 160 acres and the present owners of this have occupied it for the past fifty years. They have had no children who would answer Orchard's description, and the ones they have had are still in the community. Mr. H. H. Ingham, a real estate man, who was born and raised about seven miles east of Utica and is now some sixty years of age, was of considerable assistance in giving me local history. A. G. Getman, a highway commissioner about seventy years of age, and also his wife, have lived in this locality all their lives and none of these people know the name of Orchard or Hogan, or recognize the picture as resembling anyone they ever met, and the only crime they know of

resembling the one Orchard describes is the one mentioned above. I interviewed a dozen or more persons of similar character, who would certainly know of such an item of local history, if it were true.

I next went to Port Huron, Michigan. Orchard, it will be remembered, stated that he formerly got into trouble with the postal authorities at Port Huron, Michigan, while an uncle of his was postmaster. In talking with McAlpin, to whom Orchard told this story, he gave no further details than stated above. This story also proved to be untrue. A Mr. William Hartseff was post-master at Port Huron from 1867 to 1883. He is dead, and at any rate Orchard would have been too young during any part of his administration to have gotten into trouble with the postal authorities. Edgar White was post-master from 1883 to 1887; he had a son who was employed in the post-office during his administration, who got into trouble with the postal authorities on account of stealing money from letters, and was arrested and prosecuted. He is a cripple and has continued to live in Port Huron. Edgar White is dead, but I saw a relative who states that aside from this son he had no relative connected with the post-office during his administration. William Springer was postmaster from 1887 to 1891. I saw Mr. Springer and he did not recognize the picture and had no relative in any way connected with the office while he held it, nor have he or his wife any nephews. Mr. A. R. Avery was the postmaster from 1891 to 1895. Mr. Avery is dead, but I saw his brother Lincoln Avery, who is Collector of Customs at Port Huron, and he states that A. R. Avery had no nephews or any relative connected with the post-office while he was the postmaster, nor any nephews older than about ten or twelve years at that time. John Murray was postmaster from 1895 to 1899. I saw Mr. Murray and the same is true of his administration. In fact the only trouble that has ever occurred at this post-office is the matter of young White. Of course Orchard may have been in this locality and knowing of that occurrence, for some unaccountable reason added it to his list of experiences, in his talk with McAlpin. I also saw the Chief of Police at Port Huron, who has been an officer on the Police Department there for the past thirty years. He says this White matter was the only trouble that ever occurred at the post office during this time, and this was further confirmed by another officer, Davin Shannon, who has been an officer in the police department for about the same length of time. The picture was shown to all the men with whom I talked in Port Huron, and was not recognized as anyone they had ever seen. Certainly he never got into trouble in that city.

I next investigated Orchard's story that he killed the proprietor of a cheese factory near Detroit and burned the factory. This was one of the stories Orchard told to Mr. Pettibone. I saw the Chief of Police at Sarnia, Ontario, a city across the river from Port Huron, and also Mr. Murray the Provincial Detective for that section, both of whom have been in the detective service for the past twenty-five years, and they know of no such crime having been committed on their side of the river, or any where in that locality; nor do they recognize the picture. This chief's name is A. E. Sarvis. He is a cheese maker by trade, and on this account an occurrence of

this kind, if it had happened, would have been fixed in his memory. I also saw E. Wills, Chief of Police, Windsor, Canada; this is the city across the river from Detroit. Mr. Wills has been in the provincial detective service for upwards of twenty years and knows of no such crime being committed, nor could he recognize Orchard's picture. The same is true of Captain James McDonnell, Chief of Detectives at Detroit, Michigan. He has been on the force at Detroit for the past thirty-two years and claims to have an excellent memory and is positive no such crime was ever committed any where near Detroit, as they get advices of all crimes committed in that part of the State and the detective force at Detroit is largely depended upon by the surrounding country to apprehend criminals who have been operating in that vicinity. I saw Mr. Frank Towers, of the Towers' Wayne County Creamery, who has been in the creamery and cheese business in Detroit for the past thirty years and knows the location of all the Creameries and Cheese Factories both on the Michigan and Canada side of the river, and is positive no such crime was ever committed. The Governor of Michigan lives at Farmington, a town some thirty miles out of Detroit, and cheese making is his principal business; he owns a dozen cheese factories, and I saw his secretary, who looks after the business, and has for the past eighteen or twenty years, and his statement is the same as that of Mr. Towers. He is certain that he would know of it if such a crime had ever been committed. Peter Smith and Son, large cheese buyers at Detroit, who have been in the business for about twenty-seven years, also claim that no cheese factory was ever burned under such circumstances in that locality. In addition to these rather prominent persons I saw some old cheese makers at some of the factories and among them men who have made cheese in that locality for the past twenty years or more, and got the same story from them all, that nothing of the kind ever happened there.

Orchard's story of crimes committed at Utica, Detroit and Port Huron are certainly false. It is too bad we have not got his right name, but even then it would probably be very difficult to trace his movements so long ago, especially as he was a man of no prominence--simply an ordinary laborer and cheese maker.

I left matters in such shape at all these points that if Orchard repeats any of these stories on the stand with further details, they can be quickly investigated by reliable parties on the ground and Orchard could be easily impeached if he should repeat the stories already told.

Yours truly,

G. E. Edinon

60

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JOHN W. JONES,

#1355 Lafayette Street, Denver, Phone York 62-

Was conductor on the Florence & Gripple Creek R. R. He says that sometime during November, 1903, Orchard, knowing that he was a brother Mason, came to him and informed Jones that the train wrecking case was about to be pulled off by the unions, and that Jones introduced Orchard to Stirling and Scott. Further than this Jones will say nothing, but desires to interview either Darrow or Richardson. He made statements to me implying that he knew something which would not be beneficial to our case.

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LEWIS SAMSEL.

of Victor, Colorado, General Delivery.

Was an intimate friend of Samuel Grump, attorney for the Mine Owners' Association. Samsel says that about two weeks before the Independence explosion- Grump being under obligations to Samsel- told Samsel, that the union stores were going to be looted. Samsel seems to know more, but he speaks in such a rambling way that it is impossible to ascertain whether his knowledge is authentic, but I think another interview is advisable.

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62

On June 6th, 1904, the day of the Independence explosion, IRA BLIZZARD, of No. 350 First Street, Cripple Creek, Colo., was employed as a contracting freight agent of The Midland Terminal and Florence & Cripple Creek Railroads. He arrived at Independence depot at 7:45 in the morning, and at that time officers were guarding the place to keep the people away from the depot, the wire and the chair leg. At four p. m. that afternoon, the Trinidad dog was taken around the powder box, the wire and the chair leg, and after acquiring the scent he started to the right, going down around and among some houses to the Vindicator mine, then around to the Vindicator office, then across some railroad tracks to the Lily shaft house, circling the registering railroad station; then to the Cripple Creek sampling office; then to the pump station, and then following the wagon road until they stopped.

At the pump station, he telephoned Sterling, and Sterling said to call off the dogs, as they are on a false scent for he (Sterling) knew who did it. Blizzard said that the man having the dog had informed Blizzard that he was on a "DEAD SURE TRAIL." Then Sterling said to go ahead and hire a wagon, and Blizzard called up the sheriff's office and Wardaman, a deputy sheriff, told him to hire a wagon for the deputies, who were following the dogs, to ride in. Blizzard hired a wagon, and they went to the front porch of a school house, where the scent was lost. It was supposed at that place that the persons who they were following were taken into a light apring wagon, as there were tracks of such wagon at that place.

Blizzard saw the Victor riot in detail.

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C. W. ALLER,

Works Colorado Midland at Leadville.

Family lives at Adams House, Cripple Creek.

Mr. Aller can testify that from the 1st of January, 1904, to June 6th, 1904, HARRY ORCHARD came to The Florence & Cripple Creek depot at least three or four different times to see D. C. SCOTT. That sometime between the 15th day of May and the 6th day of June, Scott said to this affiant "Harry Orchard will be in in a short time, tell him to wait until I come back." That Orchard did come, and that Scott and Sterling and Orchard, and affiant believes a fourth person, but is not sure, and that they went up stairs into the private office of Mr. Scott's, and held a consultation lasting from 2:30 until about 8:30 that night. This was on Sunday night, and the reason this affiant recollects the circumstances was because Scott was to go to his house that night and take supper.

Affiant further remembers a part of the conversation between D. C. Scott and W. W. Rush on the night of November 16, 1903. The portion of the conversation which this affiant heard was as follows:- Scott said to Rush "If they don't try to dump you into the over-head crossing, do you know of a better place for a train wrecking?" Rush replied "that he did, and said that it would be the curve beyond the over-head crossing."

Will go to Idaho.

W. W. Rush

64
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JOHN FARRELL,

of Victor,-

Became acquainted with Orchard in The Trades Assembly of Cripple Creek and Victor, Farrell representing The International Bar Tenders Association, and Orchard representing Miners' Union No. 19 from Altman. Farrell also frequently met Orchard in "The Senate Saloon," a saloon in Victor where Farrell was employed as a bartender. At the meetings in The Trades Assembly and in the occasional meetings in the saloon, Orchard always talked vehemently against the strike breakers from The Coeur d'Alene District, who were brought in to break the strike. Sometime during September, 1903, Farrell can remember specifically that, while Orchard was in the saloon, he talked for about two hours against the scabs from the Coeur d'Alene District, and showed his personal hatred of them. Orchard came regularly to the meetings of The Trades Assembly, and was considered an active Union man. [After the Independence explosion, and some time in the month of September, 1904, Farrell saw Orchard in his saloon several times, and he talked against the strike breakers as much as ever. Scott and Sterling, detectives for the Mine Owners, also frequented this saloon, but he cannot say that he ever saw Orchard, Scott and Sterling together. Farrell also says that Orchard was the most bitter man of all of the Union men against the scabs and Mine Owners. He is now out of employment, and will go to Idaho.

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65

R. A. SMITH, knows Orchard well, and will talk, it is reported.
His address is c/o El Paso Cement Brick Company, Corner 2nd &
O'Ghea Street, El Paso, Texas. Have Kirwan write to him.

6

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66

MRS. NEVILLE.

says that Orchard came into Independence with Arthur Dolin, a miner, now living in Salt Lake City. In 1902, Orchard stole from John Thompson a gold watch, stick pin, a pearl handled revolver, and about eighty pounds of high grade, pawning the articles in Victor, and mailing the pawn tickets from Denver. Orchard and Neville left Independence on June 5th at 1:30 p. m. Mrs. Neville says that young Neville, who accompanied Orchard and his father, informed her that Orchard went to bed when he did, and was there in the morning.

An attorney from Boise interviewed Mrs. Neville, and intimated that he thought Mr. Neville, whom Mrs. Neville says is dead, is still alive.

Mrs. Minister, who lives near Mrs. Orchard, says that Orchard changed his name to Jack Dempsey after he had trouble in the Telluride District, and that Orchard was very vehement against the strike breakers.

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67

R. H. CROSKY,

Business Agent of No. 15 Cooks' Union, Denver,
the address of whom may be obtained from John M.
O'Neill, Room 3, Pioneer Bldg., Denver, Colo.,

knew Orchard well. They both sold accident insurance in Teller
County. Croskey was expelled from the position of Secretary of The
Trades' Assembly of Cripple Creek, as it was thought he was furnish-
ing information to Orchard, who turned it over to The Mine Owners'
Association. Jesse Thrower of Denver and George Sherman of Tonopah,
Nevada, porters at The Cripple Creek Club, heard Carleton and Mo-
Neill conversing about precipitating a riot in the Cripple Creek
District in the summer of 1903. W. C. Coffey, a hanger-on and a
bad gun man, on June 5th, 1903, at Victor, was told to be ready
tomorrow that something was doing. Afterwards, he saw the Victor
riot and the looting of the Union store at Cripple Creek August 20th.

He will not make a good witness, as he has been arrested about
sixteen times since the trouble.

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68

T. M. JONES,

of Victor,

Says that it was common talk among the militia men, of which he was a member, that one named Hogan (Orchard) should not be molested, but should be permitted to come in and out of the camp without any interference. Sometime between December 3rd and 10th, 1903, Hogan was specifically pointed out to Jones, when Hogan was inside the Guard Lines at Camp Goldfield, between the Portland and Independence mines, as one to have the freedom of the camp. A short time afterwards, Warford and Chipman were also pointed out as privileged persons.

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GABIN BAIRD,

of Victor,-

Knew Orchard, and made a suit of clothes for him six weeks before the Independence explosion. One day when Orchard came into the shop, he took off his revolver, and put it down and said "If they bother me, I'll fix them (meaning members of The Citizens' Alliance)."

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JOE SCHULTZ,

of Independence,-

Knew Orchard well. He says that Orchard in his conversations with him was very much chagrined that the strike breakers from the Coeur d'Alene District had come in and taken the strikers' places. He probably knows a great deal more about Orchard, but is afraid to talk. He is reported to have said that he knew that Orchard did it-- that Orchard was just the kind of a man that would do such a thing.

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11

A. C. COLE,

Vindicator Operative No. 28

formerly teacher in Victor High School, and prominent in the republican circles, assisted in the organization of The Citizens' Alliance of Victor, and was secretary of that organization from some time in December, 1903, until about the 1st day of June, 1904. He was also second lieutenant of the local company of Victor, and took part in the military operations. He knows nothing about the assault on old man Stewart.

Just prior to the Vindicator explosions, he had several conversations with Mel Beck. Beck told him that something must be done to prevent the soldiers from being taken out of the district, and that something was going to be pulled off at the Vindicator that would prevent the soldiers from going away. This conversation, in substance, was repeated several times, the last time was probably the day before the explosion took place.

Cole was asked by several prominent members of The Mine Owners' Association to assist in carrying out some plan, either similar to, or the same proposition, as the pulling off of the Independence station, and declined to take part in the matter, and was immediately relieved of his position as secretary of The Victor Citizens' Alliance. At that time an executive committee consisting of General Reardon (now dead), Frank D. French, Nelson Franklin, Harry Moore and Huff (who worked in the Victor Bank), had charge of matters at Victor, and were the principal parties in giving orders and making plans.

On the 30th day of May, 1904, Decoration Day, the parade, in which the militia participated, occurred in the morning, the Union men refusing to march at that time, or any other time, with the militia. In the afternoon the Union parade took place, and the showing made by the union men was so strong that it excited the

172

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animosity of The Mine Owners' Association. From that time, and until the explosion on June 6th, there were constant conversations in Bill Dingman's store, and in the Baltimore Hotel, and at Armory Hall, in which The Mine Owners and Citizens' Alliance people declared repeatedly that the Western Federation men must be driven out of the Cripple Creek district, and that something had to be done to give an excuse for driving them out, and that upon the first occurrence of anything, they would be driven out. The militia company at Victor was carefully drilled during this time, and had an unusual number of drillings, and their arms inspected, and everything got in readiness for instant action. A large amount of ammunition was quietly brought into the armory. On June 5th, 1904, orders were given for the militia company to be in readiness for instant call. It was freely talked among the members of the militia company, and The Mine Owners' Association, and The Citizens' Alliance that something was going to happen, and might happen at any time, and they looked for it on or before the next morning. About ten o'clock that night, Captain Harry Moore came into military headquarters and seemed very nervous and excited, and made inquiries as to whether everything was in readiness, and made a personal investigation to see that the arms and supplies were all in perfect condition, and ready for instant service. That night most of the members of the militia, and prominent members of The Citizens' Alliance, and others, were at the Baltimore Hotel. Very few of them went to bed at all. They stayed up that night expecting something. At the time the news of the explosion came, they were still up, in anticipation of some event. During the period above stated, it was freely talked among the parties mentioned, that if there was any trouble, Edward Bell would be made sheriff, and some said that it would not be long before Edward Bell was made sheriff in place of Robertson.

In the afternoon of June 6th, just after Robertson was compelled to resign, the meeting at corner of Fourth and Victor Avenue was arranged for. Two details of the militia, numbering about eighteen men each, were gotten into readiness, and directed as soon as the shooting began, one should go towards the place of the meeting one route, and the other by another route, so that the militia would come in from both sides of the crowd, and the militia were directed that they were then to clean them out (meaning the members of the Federation). It was generally understood and freely discussed that a riot was to be precipitated.

Cole was also present, and knows all about the destruction of the Victor Record plant on the night of June 8th.

Cole knew Orchard, and knew that he sometimes used the name of Hogan, and, prior to the riot, knew that he was in the employ of The Mine Owners' Association, and Cole, sometime in 1904, prior to the riot, saw Dave Scott give him passes upon the railroads. He also was familiar with the plans of the deportations of citizens, and the destruction of the store on August 20th, but did not participate in those matters.

Cole was also present at many conversations in the room of The Baltimore Hotel, used by members of the militia, members of the Mine Owners, and Citizens' Alliance. Cole also knows of the plan to hang Chris Miller and others, a little over two weeks prior to the election of 1904. He also knows of the plan, sometime prior to that, where another large number of persons were to be hung or killed, and which plan was called off because Ed. Bell, then acting as sheriff of Teller county, did not get out of the district in time.

Cole is also familiar with the general conspiracy to drive out The Western Federation of Miners, which existed practically from the beginning of the strike in 1903.

I have not seen Victor M. Mather, but an abstract of his evidence given in the train wrecking case would tend to show that on the morning of November 17th, 1903, he was walking along the Florence & Cripple Creek Railroad, and that he saw Scott working at the rails at the place of attempted derailment. He also thinks that Sterling was there, but he cannot positively identify him. He had some conversation with them and they asked Mather, "where are you going?" He replied "I am going home." He then asked him "where are you working?" and Mather replied "I am working at the Victor Union Store as a butcher." One of them then said "If you are union men we will guarantee that we won't hurt you. Mather identified Scott in the court room.

W. W. RUSH,

an engineer on the Florence & Cripple Creek Railroad was approached by Scott between the first and second attempts at derailing, and Scott told Rush "to look out that they would make another attempt at derailing soon." During the conversation Scott inquired of Rush if he knew of a better place to derail a train than the place where the first attempt took place. Rush told him the exact place where the second attempt took place. The night of the second attempt of derailment Sterling came along the track and spoke to Rush and said that "they had done it, that they had removed the entire rail- to move his engine slowly and when he heard torpedoes to stop the train." When the torpedoes exploded Rush got off his engine and found that only a few spikes had been taken up and the train had safely passed over it.

J. M. HUFF,

of Victor,

was a militiaman, and he says that it was the general talk among the members of the company, on June 5th, 1904, that something was coming off and to be ready. He had never been summoned that way before, and no disturbance had been recorded since March 10th.

Will go to Idaho.

76

LOU MILLER,

Sergeant, Victor Militia,-

Was notified on June 5th to be ready that they expected trouble.
The first shot fired on Union Hall on June 6th was fired by a member
of his squad. Only a very few shots were returned by the miners.
Saw looting and deportations at Cripple Creek on August 20th.

Will go to Idaho.

77.
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J. M. ORWIG,

of Cripple Creek,-

Was first sergeant, Company H, Colorado National Guard, and on June 5th, the day before the explosion, he received a verbal order from Captain Whann, in the presence of Captain Harry Moore, and in the office of James Wallace, a lawyer, and also first lieutenant in the Company, "to get the company in readiness for instant call." At that time Orwig knew no reason for the order. Considering the repose of the community, it was an unusual order.

Mr. BROOKSHIRE,

of Cripple Creek,-

received the order from Orwig.

J. M. ORWIG also knows about the looting of the Union stores on June 6th and August 20th, 1904; also the deportations on August 20th. Orwig and Jack Frame were also eye witnesses to the murder of Jack Bowman by Harry Guyton and Kid Waters. Orwig was in the water closet of a saloon while Bowman was at the bar. Bowman had been drinking quite a good deal, and was talking very loud. Some one, whose voice Orwig did not recognize, said "Bowman is talking too much, we will have to take care of him; when he drinks he tells all he knows, and that won't do." This was early in the evening. Later the same evening, Orwig and Jack Frame, with two girls, were evading Lou Miller, who had been ordered to get the militia into quarters at nine o'clock (an unusual order, and only issued when something was to be pulled off), and in order to keep away from Miller, the four of them went over through the yards, and crossed the tracks of The Florence & Cripple Creek Railroad, just east of the station at Victor. While there, they saw Harry Guyton and Kid Waters bring Bowman up on the tracks. Bowman had been drinking a great deal, and was probably drunk. When they got to a certain

point on said tracks, one of the parties (whom Frame says was Guyton) hit Bowman with a "billy" or a sand bag, and knocked him senseless or killed him. Bowman was then placed on the tracks, and a few minutes later was run over by the train. Guyton afterwards told Frame that Major Naylor and Colonel Verderberg ordered them to get Bowman out of the way because he was talking too much, and added, if this is ever mentioned, you will find yourselves at the bottom of a prospect hole, or swinging to a rope.

Bowman was supposed to know a great deal about the Independence explosion, hence the necessity for his removal. Bowman had frequently said that if he was not treated right, he would tell what he knew, and that the Mine Owners did not dare to let him tell all that he knew.

LOU MILLER

was in charge on the night that Bowman was killed, and was ordered to have the militiamen in their quarters about nine o'clock. He knows about Orwig and Frame being out with the girls, and going over to The Florence & Cripple Creek Railroad tracks. He also knows that Bowman was killed that night.

It is also said that Miller and another person were sent to the Independence station on the 5th of June sometime in the night. We have not had a chance to catechise Miller since hearing of this.

LOU MILLER,

Sergeant of Victor Militia,-

on June 5th was told to be ready- that they expected trouble. The first shot fired on Union Hall on June 6th at Victor was fired by a member of his squad, very few shots were returned by the miners. Saw the looting and deporations at Cripple Creek on August 20th, and took part therein. Dingman kept a cigar store, and his cigar store was a general hang-out for the Mine Owners' gun men.

On the afternoon of August 20th, Dingman told the push to go over to Cripple Creek that something was doing. When Lou Miller arrived at Cripple Creek, Nelson Franklin, belonging to The Mine Owners' Association, told Miller to go down and get Mike O'Neil, Deputy County Recorder, and deport him. He captured O'Neil and deported him. After that, at the looting of the Union store, he saw John Sharpe, a mine owner, overpower Beagle, a deputy sheriff who was guarding the store. After that, Miller helped to loot the store, carrying things out into the street, where they were destroyed, or taken possession of by third parties.

After the looting, Miller and the rest of the looters, were taken to the Cripple Creek Club, where Carleton and Franklin set them up to booze.

Miller also says that he worked on the Findley mine up to three days before the explosion on June 6th, and that three-fourths of the scabs working there had been imported from the Coeur d'Alene District. He also knows, of his own knowledge, that three-fourths of the men on the Shurtloff were from the Coeur d'Alenes. Miller also knows about Bemore and the dog going to his home at the time of the Independence explosion; was also with the bunch and was in sympathy with, if not actually employed by, The Mine Owners' Association.

81
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THE DOG.

MRS. MARY A. WILSON,

of Independence,

followed the Trinidad dog. She says that about four o'clock in the afternoon, it was given the scent of the leg of the chair and the wire and the ground about the explosion, and the dog started off by Bemore's house, and went down and around and stopped at the powder house at the Vindicator mine. After that, she corroborates Blizzard's testimony.

MRS. MORRISON,

of 2455 California St., Denver, Colo.,

and her children, know about the dogs.

JANE HENRY,

Colorado Springs, stepdaughter of Frank Brewer,
saw the dogs on June 6th.

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MRS. GIBSON,

lived in Independence at the time of the explosion.

She saw the dogs go to Bomere's house and down towards the Vindicator powder house. She was familiar with the conditions of the district at the time of the blowing up of the depot, but knows very little of her own knowledge, except the incident of the dogs. During the time the dogs were following the scent, she was with Mrs. Wilson, whose statement has already been taken.

Mrs. Gibson is now matron of the County Jail, and is a very enthusiastic sympathizer with The W. F. M.

83
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L. F. TAYLOR,

of Independence,

Saw the dtwo dogs go twice around the home of Bemore, and stop at the kitchen door. His daughter, Mrs. Lulu Morrison, and her husband, of 103 E. Street, Sacramento, California, who were living with Mr. Taylor at that time, saw the same thing. Taylor could not say that Bemore was a detective of the Mine Owners, but there is no question about this.

RICHARD CARR,

of either Bullfrog or Rhyolite, Nevada,

Lived in Cripple Creek on June 6th, at the time of the explosion. He owned two blood hounds, and offered them to the Mine Owners' Association, but the Association would not take them, as they thought Carr was in sympathy with the strikers. It is the report that Carr knows all about the dogs that were employed in trailing the person or persons causing the explosion.

J. E. DOUGLAS,

a saloon keeper in Denver,-

knows all about the dogs, it is reported.

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84.

C. A. COLLINS, twenty-one years of age,
of Gripple Creek,-

was so near the explosion that part of his house was torn away thereby. Was at the scene of the explosion within ten minutes after it occurred. He alleges that the leg of the chair and the wire was guarded from seven a. m. on. At twelve o'clock on June 6th, the Canon City dogs arrived, and, after having received the scent of the chair leg and the wire, started off down the hill to Bemore's house, and they went to the kitchen door, and then taken back to the place of beginning, and were started again. They again went straight to Bemore's house, and stopped at the kitchen door, and then went down among the houses to the Vindicator, and then to the Holmes' boarding house, where Collins could see them no longer. Tom Green, of Goldfield, Nevada, also saw the dogs, and was at the scene of the explosion all morning.

Collins knew Scott, the railroad detective, but cannot remember of seeing him around the explosion at all.

F. T. COLLINS.

18 years of age, and a brother of C. A. Collins, corroborates C. A. Collins in regard to the dogs. He also says that young Neville informed him that Orchard retired for the night the same time that he did, and was there when he awakened in the morning, and that he helped Orchard and his father pack up, and that they left about two o'clock in the afternoon of June 5th.

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85

HUGH WILSON,

a deputy sheriff of Teller County at the time of the Independence explosion, says that Sheriff Robertson, Burton and himself arrived at Independence on the morning of the explosion at 4 a. m. Immediately after their arrival one Chris Miller, who is now dead, was placed as guard to prevent people from walking over and about the wire and the chair leg, which were used to pull off the explosion. Miller remained as Guard until Wilson returned at noon from Gripple Creek. Wilson says that J. K. Burton, who at that time was a deputy sheriff, and who is now deputy clerk at Pueblo, Colo., will tell about the dogs.

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S. F. SKINNER

says that he was in Dunville on June 8th, 1904. Sixteen union men besides himself were prospecting there. About eleven a. m. deputies from the top of a hill near by fired a volley, and some of the miners ran up a hill, and one John Carley, a union miner, was killed by some militiaman who had advanced from another direction. Not a shot was fired by the miners, and the seventeen men had among them merely one shot gun, one twenty-two caliber rifle and a revolver. After the death of Carley all were rounded and photographed except Skinner. Sam Vidler, who was with the militiamen, asked Skinner if he was a union man, and when he replied in the negative, he said that they only wanted the pictures of union men. The day before Carley was shot, he told Skinner that he had \$350.00 in his pocket, but neither Skinner or Mrs. Carley ever found the money, though search was made. Skinner says that he had been informed, the Mine Owners, the week before, had asked all the assayers in Teller county to assay ore found at Dunville high, for then the idle union miners would swarm to Dunville and could easily be captured.

Skinner also says that John Ward, who also lives near Skinner, was a union miner and was at Dunville at the time of the battle.

87
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In January, 1904,

MISS SAUNDERS, of Cripple Creek,

conducted a rooming house in the Texas Building. Among her roomers were a number of union men. Her landlord was a Mr. Airheart, at that time president of The Citizens' Alliance, who came to Miss Saunders, and requested her to sign a petition, which signature would make her a member of The Citizens' Alliance. Before Miss Saunders would sign the petition, she requested that the Constitution of The Citizens' Alliance first be handed to her so that she might become acquainted with its provisions. After reading the Constitution, she refused to sign the petition because the Constitution contained the provision declaring "All Strikers Were Wrong." Then Airheart replied "No one could live in Cripple Creek who did not join The Citizens' Alliance," and that "they were going to crush unionism forever in Cripple Creek." Mr. Airheart then sent other persons to Miss Saunders, who attempted to persuade her to sign The Citizens' Alliance petition, but all to no avail. After that, Airheart compelled her to move out of his building, and she moved to the Atlas Building, her roomers following her. She told Airheart that she would rather be ruined than sign the petition. One of her roomers was deported.

The Atlas Building was next door to the Union Store, and on August 20th an armed mob rushed into her building to follow the manager and clerks of the Union Store, who had taken refuge in her building. The mob placed a revolver at Miss Saunders' head, and demanded that she tell where the refugees were. The mob found all of them in her house and deported them. About two hours afterwards, she saw the mob breaking the windows of the Union Store, and pulling the contents of the store to the street, which they destroyed. Some of the mob took some of the goods home.

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88

FRANK AIKEN

was Deputy Assessor of Teller County at the time of the strike, and assistant manager of the Union Store at Cripple Creek. He was deported on August 20th before the looting of the store took place. Saw Victor riot from beginning to end, and informed the Federation men not to go up to their hall, but the miners replied that it was their own hall, and that they would go up. He did not see the shots on Union Hall.

Aiken was drawn as a member of the coroner's jury to investigate the cause of death of the victims of the Independence explosion, but was forced to resign when the coroner was put out of office. A man working on the railroad, the very morning of the explosion, said to Aiken that if they had held the shift, as they had been told to, no one would have been hurt. Aiken will go to Idaho, and will make a good witness.

89
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L O O T I N G S.

The lootings at Gripple Creek on August 20th were seen by Miss Saunders and Lou Miller.

Emma Shoemaker and Mrs. Wm. Shoemaker, her mother, saw the lootings at Anaconda on June 7th, 1904.

George Murcary, a son and sympathizer of the Mine Owners' crowd, kicked open the door, and Peter Murcary, his father, helped to loot the store.

Ervin Douglas, postmaster, assisted in the looting.

Mr. Dahl seemed to be the leader.

Mrs. and Miss Shoemaker also saw the deportation of George Hooten.

As to the lootings at Victor, Mrs. Hanna and Mrs. Boyle of Goldfield, Nevada, are the best witnesses. Carleton entered the store, found Mrs. Hanna there, and forcibly ejected her from the building.

As to the lootings at Goldfield, Mrs. Cox and Mrs. Cameron of Denver are the best witnesses. The address of Mrs. Cameron can be found by seeing Mrs. Cox at Larimer and 12th Streets, Denver, three doors from the corner south.

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90

Denver, Colo.
WM. D. HAYWOOD, Sec'y-Treas.
No. 3 Pioneer Building
Denver, Colo.

JOHN H. MURPHY, Attorney
Kittredge Building
Denver, Colo.

JOHN M. O'NEILL, Editor
No. 3 Pioneer Building
Denver, Colo.

FRANK SCHMELZER
Silverton, Colorado

JAS. KIRWAN
Terry, South Dakota

ERNEST MILLS
Greenwood, B. O. Box 124

B. J. BROWN
Flat River, Missouri



Western Journal of Mines

Denver, Colo., April 5, 1907.

Mr. E. F. Richardson,
Denver, Colorado.

Dear Sir:

Enclosed you will find copies of telegrams which are on file in this office, and copies of letters that passed between Easterly and Haywood.

I have also complied with your request for date of the burial of Wm. F. Davis' baby and the date that the Salt Lake Convention convened. April 4th is the date on which Mr. Davis' child was buried, and May 22nd is the date on which the Thirteenth Annual Convention convened in Salt Lake City.

With best wishes, I am

Yours very truly,

James Kirwan
Acting Sec'y-Treas., W.P.M.

Encl.

91
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R. J. Hanlon,

Sec'y Miners' Union,

Silver City, Idaho.

Employ John F. Nugent at the expense of the Western Federation of Miners to protect the interests of the organization at Boise. Answer. ✓

Wm. D. Haywood,
Sec'y-Treas., W. F. M.

Silver City, Idaho, Jan! 7, 1906.

William D. Haywood,

Sec'y-Treas., W. F. M. Denver.

Wire at length in what manner you wish Nugent to proceed. He wants full particulars to what is the attack on the organization, and what is the complaint. ✓

R. J. Hanlon,
Sec'y Silver City Miners Union.

Denver, Colorado, January 8, 1906.

R. J. Hanlon, Fin'l Sec'y.,

Miners' Union, Silver City, Idaho.

Press dispatches indicate that there is another conspiracy entered into to connect the Western Federation of Miners with grave crimes, several persons in Caldwell, Idaho, have been arrested in pursuance of the conspiracy. The Western Federation of Miners defends no ^{member} guilty of crime, but in the past, it found every one of its members accused of crime innocent and they would have been the victims of a conspiracy had the organization not aided in their defense. So have Mr. Nugent take up the defense of any member of the organization, so that if innocent, they may be discharged. ✓

Wm. D. Haywood,
Sec'y-Treas., W. F. M.

92.

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Silver City, Idaho Jan. 10, 1906.

W. D. Haywood,

Sec'y-Treas., W. F. M. ,

Denver, Colorado.

Mailed you a letter this morning with full explanations. ✓

R. J. Hanlon,

Sec'y, Silver City Miners' Union.

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93

JOHN H. MURPHY, Attorney,
Kittredge Building,
Denver, Colorado.
JOHN M. O'NEILL, Editor,
No. 3, Pioneer Building,
Denver, Colorado.



FRANK SCHWELTZER,
Silverton, Colorado
JAS. KIRWAN,
Terry, South Dakota
ERNEST MILLS,
Greenwood B. C. Box 124
BROWN,
Flat River, Missouri

Denver, Colorado, May 27, 1906.

Mr. E. F. Richardson,
323 Overland Block,
Boise, Idaho.

Dear Sir:

Yours of May 24th at hand and contents noted. Enclosed you will please find copies of telegrams that passed between Mr. Hanlon and Secretary Haywood, also copies of communications. These are all the telegrams and communications that I can find relative to this matter. Your communication arrived too late Saturday evening to forward draft, but the same will be attended to tomorrow morning.

Can find no trace of cipher telegram. Would advise you to see Moyer and ask him whether this telegram is in his possession or not. If it is in his desk, wire me, and I will give it a thorough overhauling.

With best wishes, I remain

Yours truly,

James Kirwan
Assistant Secy-Treas., W.P.M.

Encs.

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9k

W. D. Haywood,
Sec'y-Treas., W. F. M.,
Denver, Colorado.

COPY

Dear Sir and Brother:

Your telegram received last night notifying me to employ John Nugent, as counsel for any member of the organization, accused of ^{the} assassination of Frank Steunenberg. Mr Nugent after considering the matter over thinks it would be a dangerous thing for him to agree to go to Oldwell at this time as the man in custody for the crime above stated has obtained counsel himself. It has been scattered broadcast that John Nugent has been retained as counsel for Harry Orchard. I denied to press representatives in Boise tonight. Mr Nugent says that he is willing to be counsel, if the authorities are going to endeavor to fasten the guilt on the Federation.

Speaking for a number of us here, we think for the Federation to employ counsel at this time would be giving the ones who have nothing but the bitterest feeling for the organization the opportunity they are waiting for, that is, by an aggressive act of ours they would implicate the organization, and poison public sentiment against us. The burden of the proof is with the plaintiff, and when we are put on the defense, then will be the time for us to take the necessary course to defend the Federation.

The capitalist press is watching all our movements, therefore, I think caution should be our motto at this time.

Hoping to hear from you at the earliest opportunity, I am

Yours fraternally,

(signed) R. J. Hanlon,

Archives Sec'y, No. 66.
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95

Denver, Colorado, January 20, 1906.

Mr. R. J. Hanlon,

Sec'y, Silver City Miners' Union No. 66,

Silver City, Idaho. ✓

COPY

Dear Sir and Brother:

Your letter of the 9th inst., replying to my telegram of the 8th, was received in due time. Before taking up the matter of having you secure counsel in behalf of the Federation, we reviewed the situation as best we could from this distance. When it became public that Sam Crump and sheriff Ed. Bell from the Cripple Creek District intended to go to Idaho, it was evident to us that something would have to be done immediately to checkmate Mr. Crump, as all during the Colorado trouble Crump has been an implacable enemy of the organization. It was he that received \$10,000 from the County Commissioners of Teller County to prosecute the perpetrators of the Independence outrage. This money has all been dissipated without results. Crump is recognized in Colorado as being the most unscrupulous attorney in the legal profession. There is nothing too low, mean or dirty for him to stoop to do. It was Crump and Hamlin who from a place of vantage in an express wagon incited the mob to riot the day after the explosion at Victor. Morally and mentally, as well as physically, he is a monstrosity, and it was because of his departure or intended departure for Idaho that gave us reason to think that an effort would be made to implicate the organization in Idaho.

For this reason we believe that it would be well to have a representative on the ground to look after the interests of the Federation. Being well acquainted with John Nugent and knowing his ability and integrity as a counsellor, I notified you to secure him for the purpose as mentioned. I am very glad that he is willing to be counsel for the organization in

96

Archives

University of Colorado
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the event of the authorities attempting to connect the Federation or fasten the guilt upon the organization. I fully appreciate the delicacy of our position, but even that must not prevent us from being in a position to protect ourselves, as we know that the capitalist press and the Mine Operators' Associations of Idaho and Colorado will do everything within their power to point the finger of suspicion toward the Western Federation of Miners'

I enclosed you copy of letter that was directed to Mr. Nugent by attorney J. H. Murphy, and would also call your attention to the article under caption "We Court the Fullest Investigation" which appeared in the last issue of the Miners' Magazine.

Yours fraternally,

(Signed)

Wm. D. Haywood,

Sec'y-Treas.

Encs.

97
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Denver, Colo., May 17, 1905.

Telegram

W. D. Haywood,
Sec'y., Western Federation of Miners,
Salt Lake City, Utah.

Uly

Case will go to Jury by Friday. Wire me two hundred more expenses
at Castle Rock tomorrow.

FRANK J. HANUS.

Telluride, Colo., March 25,

Secy Miners

Haywood,
Sec'y., Miners' Union,
Mining Exchange Bldg., Denver.

Union Telluride
Strike Relief

Owe one thousand please send two. Details following.

FORBES.

Murray, Utah. March 16, 1904.

W. D. Haywood, #625 Mining Exchange,
Denver, Colorado.

of 7 men
Organizer

Trouble at state line want me to come there wire hundred for
expenses.

O. M. CARPENTER.

Stockton, Cal. March 10th,

Wm. D. Haywood,
625 Mining Exchange,
Denver, Colo.

member
of Board

Send five hundred relief at once three men for contempt.

J. C. LEWIS.

Wilkesbarre, Pa., March 12, 1904.

Wm. D. Haywood,
625 Mining Exchange Bldg.,
Denver, Colo.

collected for
his fund

Advised from Victor forward to my wife one hundred dollars as wages
will act accordingly answer my expense.

F. E. McCAFFERTY.

Office at 920 - 17th street,
March 11, 1904.

Haywood,
625 Mining Exchange Bldg.,

Your telegram of yesterday addressed to P. S. Wilson, Tacoma,
Washington, has not been delivered for the reason that party unknown
tried all hotels and mailed notice.

Per, RED.

Tacoma, Wn., Mar 9,

Wm. D. Haywood,
625 Mining Exchange Building,
DENVER.

Telegraph money to Lumbermens National Bank flat broke.

Not known

P. S. WILSON.

James town, Calif. Mch. 4, 1904.

98.

Wm. D. Haywood,
625 Mining Exch.
Denver, Colo.

Jamestown, Calif., March 4, 1904

*Ex. Board
Member*

Shall I employ Attorney to fight injunction. Send money Jamestown
two hundred first national Stockton my credit wire answer.

J. T. LEWIS.

Wm. D. Haywood,
625 Mining Exchange Bldg.,
Denver, Colo.

Murray, Utah, Feb. 25,

*S. M. Carpenter
Organizer*

Wire me some money need it bad.

CARP.

W. D. Haywood,
625 Mining Exchange Bldg.,
Denver, Colo.

Canton, O.,

*Solicitor
P. H. Fund*

Send hundred twenty five wire or draft hotel.
Conrad Canton.

A. W. GARRISON.

Wm. D. Haywood,
625 Mining Exchange Bldg.,
Denver.

Murray, Utah, Feb. 20, 1904.

Organizer

Wire me some money. Am broke.
O. M. CARPENTER.

Santa Rosa, Cal., Feb. 15, 1904.

Wm. D. Haywood,
Mining Exchange Bldg.,
Denver.

Organizer

Send money right away broke here.

W. A. BURNS.

Joplin, Mo., Feb. 14, 1904.

Wm. D. Haywood,
625 Wing Ex. Building, Denver, Col.,

Organizer

Send me some money by wire at my expense.

GEO. B. HANDY.

Copperopolis, Cal., Jan. 18, 1904.

Wm. D. Haywood,
625 Mining Exchange Bldg.,
Denver.

*Member
of Board*

Wire five hundred relief first national wire reply.

J. A. LEWIS.

Joplin, Mo., December 9th, '03.

Wm. D. Haywood,
625 Mining Exchange, Denver, Colo.

Organizer

Send me one hundred dollars right away.

BEARD.

Springfield, Ill., Nov. 27, 03.

Mr. W. D. Haywood,
625 Mining Exchange Bldg., DENVER, Colo.

*Solicitor for
fund*

Wire one hundred dollars Springfield Illinois Saturday morning sure,
URGENT.

FRANK JORDAN.

Sioux City, Ia. Dec. 20, '14.

Wm. D. Haywood,
Sec'y-Treas., W. D. M., Denver, Colo.

for P. H. fund

Send money right away am broke.

Frank Cochran.

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99

Wilkesbarre, Pa. Dec. 15, 04.

W. D. Haywood,
Pioneer Bldg., Denver.

*Solicitor for
8 hr fund*

Wire at my expense money to go home Xmas.

F. E. MCCAFFERTY.

Terre Haute, Ind., Dec. 30,-4.

W. D. Haywood,
Room 3, Pioneer Bldg., Denver.

*Solicitor
for 8 hr fund*

Send Beard one hundred by mail.

BEARD.

Chicago, Ill., Jan. 19,

W. D. Haywood,
Room 3, Pioneer Bldg., Denver.

Solicitor

Send Beard 50 dollars to come home.

BEARD.

Room 3, Haymarket Building.

Lead, S. D., Feb. 11, 05.

Wm. D. Haywood,
Room 3, Pioneer Bldg., Denver.

*Member
of Board*

Send one hundred to Lamotte will reach there Monday.

JAMES KIRWAN.

Angels Camp, Calif., July 26, 1905.

Wm. D. Haywood,
Room 3 Pioneer Bldg., Denver.

organizer

Am in need of money badly. Send here at Angels.

H. D. CALVIN.

Denver, Colo., July 28, 1905.

Mr. H. D. Calvin,
Angel's Camp, Calaveras Co., Calif.
c/o J. C. Hammitt, Sec'y., Calaveras N. Union.

Telegraphed your money to Calaveras County bank. Collect there

WM. D. HAYWOOD.

Denver, Colo. July 19, 1905.

Ernest Mills,
Nanaimo, B. C.

Wired five hundred Tuesday. Inquire Canadian Bank Commerce.

Wm. D. HAYWOOD.

February 13, 1905.

To Frank Cochran,
Albia, Iowa.

Holiday banks closed will wire forty tomorrow.

HAYWOOD.

Nanaimo, B. C., July 22, 5.

Wm. D. Haywood,
Pioneer Bldg., Denver, Colo.

member

Wire seven or eight hundred dollars Monday. We must have funds. Think
W. F. M. will come out on top.

ERNEST MILLS.

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100

Hammo, B. C., June 12, 1905.

William D. Haywood,
President - Sec'y-Treas., W. F. M., Denver.

Local Union
Western Federation of miners solid. Have control of situation. Particulars later. United Mine Workers not recognized by company send five hundred dollars.

DANIEL LIVINGSTON.

Denver, Colo., July 17, 1905.

Mr. Chas. Moyer,
Ishpeming, Mich.

Will advance seven hundred. Kirwan left Saturday for Eveleth. Have not located Schmelzer. Moor is here. Wants advice as to what he shall do.

Wm. D. HAYWOOD.

Ishpeming, Mich. July 17, -05.

W. D. Haywood,
3 Pioneer Bldg., Denver.

I recommend advancing seven hundred dollars on August assessment when will Kirwan and Amelzer leave.

CHAS. MOYER.

Gardiner, Mont. Apr. 24-05.

Moyer & Haywood,
Room 3 Pioneer Bldg., Denver.

Ex Board Member
Charlie come at once. Telegraph me one hundred dollars to Gardiner.

C. E. MAHONEY.

Salt Lake, Utah., June 6-1905.

John M. O'Neill,
3 Pioneer Bldg., Denver.

Mailed one thousand yesterday for Central Saving Bank.

Wm. D. HAYWOOD.

Salt Lake City, Utah. June 1, 1905.

Local Union
Thos. Harris,
Aldridge, Mont.

Wired you five hundred to Gardner Bank yesterday.

Wm. D. HAYWOOD.
Sec'y., W.F.M.

Columbus, O.

W. D. Haywood,
Solicitor 625 Mining Exchange Bldg., Denver, Colo.

Ex Board Member
Both here wire money this office need it waive identification.

GARRISON & RANDALL.

Des Moines, Iowa., Jan. 2, 1904.

W. D. Haywood,
Solicitor 625 Mining Exchange Bldg., Denver.

Send Beard money.

W. J. BEAR.

Stockton, Calif.

Wm. D. Haywood,
Solicitor 625 Mining Exchange Bldg., Denver.

Ex Board Member
Wire two hundred for eng. First National as early as possible.

J. T. LEWIS.

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Montrose, Colo., Jan. 4, 04.

W. D. Haywood,
625 Mining Exchange Bldg., Denver.

Ex Board

Wire five hundred dollars quick. Soldiers shipped 31st this morning.

J. C. WILLIAMS.

St. Louis, Mo., Dec. 16, 1903.

W. D. Haywood,
625 Mining Exchange Bldg., Denver.

*Solicitor
& his fund*

Wire one hundred dollars Saint Louis Thursday before three afternoon.

FRANK JORDAN.

Telluride, Colo., March 30, 1904.

Wm. D. Haywood,
625 Mining Exchange Bldg., Denver, Colo.

President

Local Moyer held by military arrested this morning. Must have two thousand
Union dollars at once to carry on business.

TOM NELSON.
President.

Copperopolis, Calif. Jan. 23, 1904.

Wm. D. Haywood,
620 Mining Exchange Bldg., Denver.

Member

Wire one hundred to First National of Stockton to settle all accounts in
connection with Strike not later than Monday wire reply to Sherman House,
Stockton.

J. T. LEWIS.

Chicago, Ill., March 18,

Wm. D. Haywood,
625 Mining Exchange Bldg., Denver.

Solicitor & his fund

Send by mail fifty dollars.

B. P. Smith.

Chicago, Ill., Mar. 18,

W. D. Haywood,
625 Mining Exchange Bldg., Denver.

Solicitor

Send by mail fifty dollars.

B. P. Smith.

Ridgway, Colo., March 29, 04.

Wm. D. Haywood,
625 Mining Exchange Bldg., Denver.

Secy

Send some money to Telluride no credit. Left jail last night now in
Ridgway. We have won the strike without a doubt will write from Ouray.
Moyer still in Jail.

FORBES.

So. McAlester, I. T., June 8, 1904.

Wm. Haywood,
625 Mining Exchange, Denver, Colo.

*Solicitor
& his fund*

Send me some money by telegraph.

J. A. Sandahl.

Canton, O., April 17, 04.

W. D. Haywood,
Mining Exchange Bldg., Denver, Colo.

Solicitor

Stranded send money.

A. W. Garrison.
Care Hotel Conrad.

Telluride, Colo., June 11, 1904.

Wm. D. Haywood,
625 Mining Exchange Bldg., Denver.

Pres. Local Union

Will you forward money asked for today? Answer.

Tom Nelson.

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Little Rock, Ark., July 10, 1904.

Wm. D. Haywood,
625 Mining Exchange Bldg., Denver.

Solicitor

Wire money immediately will wait 419 Markham Street, Little Rock, Ark.

Jarvis V. Sandall.

Grand Rapids, Mich. July 5,

W. D. Haywood,
625 Mining Exchange Bldg., Denver, Colo.

Solicitor

Send me one hundred dollars by wire.

Beard.

Telluride, Colo., July 1, 1905.

Wm. D. Haywood,
625 Mining Exchange Bldg., Denver, Colo.

President

Local Union We must have money at once.

James Nelson.

Telluride, Colo., June 10, 1904.

Wm. D. Haywood,
625 Mining Exchange, Denver, Colo.

Pres

Local Union Send three thousand dollars to settle up accounts here.

Tom Nelson.

Bakerton, Pa. April 14,

Wm. D. Haywood,
625 Mining Exchange Bldg., Denver, Colo.

Solicitor

Mail fifty dollars to Barnesboro, Pa. for me also twenty flags.

Chas. S. Stavin.

Telluride, Colo., April 21, 1904.

Wm. D. Haywood,
625 Mining Exchange, Denver, Colo.

Pres

Local Union Out of funds and need two thousand to pay up.

Tom Nelson.

San Francisco, Calif. April 21, 1904.

Wm. D. Haywood,
625 Mining Exchange Bldg., Denver, Colo.

Solicitor

No money yet, can't come until received wire hundred dollars.

W. H. Leonard.

Ouray, Colo., Apr. 25, 1904.

H. D. Haywood,
625 Mining Exchange Bldg., Denver.

Secy

Local Union Send seven hundred dollars at once for board.

H. A. McLean.

Paterson, N. J. May 7, 1904.

Wm. D. Haywood,
625 Mining Exchange Bldg., Denver, Colo.

Solicitor

Received one hundred First National New York today. Send other voucher will explain by mail.

R. W. Reed,
107 Market St.

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Telluride, Colo., May 10, 1904.

Wm. D. Haywood,
625 Mining Exchange Bldg., Denver, Colo.

Is Mrs. Meyer in Denver? Let nobody get possession of box in vault.
Give no one money on my account. When will Murphy be here?

Chas. Meyer.

W. D. Haywood, Saginaw, Mich., May 13, '04.
625 Mining Exchange Bldg., Denver, Colo.

Solicitor

Send by wire fifty dollars.

Beard.

Telluride, Colo., May 17, 1904.

Wm. D. Haywood,
625 Mining Exchange Bldg., Denver, Colo.

*Area
Local
Union*

Our supplies will be cut off. Need two thousand dollars to settle up.

Tom Nelson.

Paterson, N. J., May 27, 1904.

W. D. Haywood,
625 Exchange Bldg., Denver, Colo.

Not Known

Have run Picnic Kud wants us to advance him one hundred and twenty-five dollars shall we do so wire answer.

A. Keppler, Jr.,
#994 Madison Ave

Murray, Utah. June 11, 1904.

W. D. Haywood,
625 Mining Exchange Bldg., Denver, Colo.

Organized

Send me some money.

Carpenter.

Amador, Calif., Nov. 27, 04.

Wm. D. Haywood,
Room 3, Pioneer Bldg., Denver.

Organized

Need two hundred dollars Emergency telegraph J. Dennis Bank Sutter Creek
Mailed particulars.

H. D. Calvin.

Wellsville, Ohio. Oct. 20,

W. D. Haywood,
Room 3, Pioneer Bldg., Denver.

Solicitor

Wire me fifty dollars will await reply.

W. D. Seighman.

Port Huron, Mich., Sept., 17, 1904.

Wm. D. Haywood,
Room 3, Pioneer Bldg., Denver.

Solicitor

Send one hundred by mail.

Beard.

Memphis, Tenn., July 13,

Wm. D. Haywood,
625 Mining Exchange Bldg., Denver, Colo.

Solicitor

Send \$50.00 at once.

Ira Jarvis.

Amador, Cal., July 27, 1904.

Wm. Haywood,
Room 3, Pioneer Bldg., Denver.

Member

send me a couple hundred. Will wait here for answer.

Ex Board

Marion W. Moor.

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Grand Rapids, Mich. July 19, 1904.

W. D. Haywood,
625 Mining Exchange Bldg., Denver. O

Solicitor

Send one hundred dollars by wire.

Beard.

Anador, Cal., Aug. 8, 1904.

Wm. D. Haywood,
Room 3, Pioneer Bldg., Denver, Colo. O

Exp. Board

Do you receive mail from me? Send me two hundred by wire.

Marion W. Moor.

Jamestown, Cal., May 27, 1904.

J. T. Lewis,
625 Mining Exchange Bldg., Denver, Colo. O

Buy Local Union

Bills and funeral benefits due we need two hundred fifty.

T. A. Bales.

Butte, Montana. Oct. 5, 1905.

W. D. Haywood,
Room 3, Pioneer Bldg., Denver, Colo. O

Wire Simpkins to Wallace, one hundred organizing purposes. Did you send Nanaimo remittance?

Chas. Moyer.

Chicago, Ill., July 3,

James Kirwan,
Room 3, Pioneer Bldg., Denver, Colo. O

Mail me this afternoon draft for \$282.25 also J. C. Sullivan one for \$50.

Chas. Moyer.

Ash Fork, Az., Oct. 27, 1904.

Wm. D. Haywood,
Room 3, Pioneer Bldg., Denver, Colo. O

Exp Board

Wire me a hundred dollars - to Prescott National Bank, Prescott. Will write from there.

Marion W. Moor.

Denver, Colo., Oct. 3, 1905.

Chas. H. Moyer,
c/o Smelters Union, Butte, Mont. O

Will wire Simpkins tomorrow. Sent Nanaimo five hundred dollars.

Wm. D. Haywood,
Sec'y-Treas., W.F.M.

Denver, Colo., Sept. 19, 1905.

Mr. Marion W. Moor,
Goldfield, Nevada. O

One hundred by wire to John S. Cook and Company Bank.

Wm. D. Haywood.

Denver, Colo., August 29, 1905.

Dan'l Livingston,
Nanaimo, B. C. O

Notify Killeen we have this morning wired Canadian Bank of Commerce five hundred dollars.

Wm. D. Haywood.

Denver, Colo., March 25, 1905.

Solicitor

James H. Cater,
2813 Locust Street, St. Louis, Mo.

Wired you one hundred twenty-five dollars National Bank Commerce. Send me copy Illinois Mine Workers' Convention proceedings.

Wm. D. Haywood, Sec'y-Treas., W.F.M.

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105

Denver, Colo., Dec. 16, 1905.

Mr. D. H. McNeil, Sec'y.,
Tonopah Miners' Union, Tonopah, Nev.

Have advanced seventy-five dollars. Mrs. Kennison leaves for Baker City tomorrow.

Wm. D. Haywood,
Sec'y-Treas., W.F.M.

St. Louis, Mo., Oct. 27, 1905.

Wm. D. Haywood,
Room 3, Pioneer Bldg., Denver, Colo.

Answer not quite satisfactory should have one month tax in cash two thousand two hundred fifty dollars wire answer.

Per capita tax to D. H. M.

Trautmann & Sherman.

Denver, Colo., Feb. 12, 1906.

Mr. Frank Schmelzer,
c/o Imperial Hotel, Salt Lake City, Utah.

Ex Brad

Telegraphed today One Hundred Thirty Three McCornick's Bank. Developments make it unnecessary for a representative in Nevada. Will you accept position organizing Great Falls, Montana, if satisfactory arrangements can be made? Answer immediately.

Wm. D. Haywood.

Denver, Colo., Dec. 16, 1905.

Mr. D. H. McNeil, Sec'y.,
Tonopah Miners' Union, Tonopah, Nev. *o*

Have advanced seventy-five dollars. Mrs. Kennison leaves for Baker City tomorrow.

Wm. D. Haywood,
Sec'y-Treas., W.F.M.

St. Louis, Mo., Oct. 27, 1905.

Wm. D. Haywood,
Room 3, Pioneer Bldg., Denver, Colo. *o*

Answer not quite satisfactory should have one month tax in cash two thousand two hundred fifty dollars wire answer.

Per capita tax to W. W.

Trautmann & Sherman.

Denver, Colo., Feb. 12, 1906.

Mr. Frank Schmelzer.
Ex Brad s/o Imperial Hotel, Salt Lake City, Utah. *o*

Telegraphed today One Hundred Thirty Three McCormick's Bank. Developments make it unnecessary for a representative in Nevada. Will you accept position organizing Great Falls, Montana, if satisfactory arrangements can be made? Answer immediately.

Wm. D. Haywood.

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Copies: Setters? or Sellers? to
Easterly (COPY)

Marion, Ill., Feb. 27, 1905.

Mr. W. D. Haywood,

Sec'y-Treas., W. F. of M., Denver, Colo.

Dear Sir and brother:

Friend Will, Find enclosed Money Order for Five Dollars (\$5.00) as dues for my card in W. F. of M. Please stamp and return to my address here.

A great deal of sickness here this winter and many deaths. Several of my relations have died since I came here. One neice, one uncle, one cousin and my nephew. I sent you a paper that contained the account of my nephew's accident. I see by the News of Denver that things are getting warm again along the line of politics in Denver. I have not done anything yet. Only a few days on the farm while there with my brother-in-law. Will be pleased to hear from you.

My regards to all,

Yours fraternally,

W. B. Easterly,
Marion, Illinois.

Denver, Colorado, March 6, 1905.

Mr. W. E. Easterly,

Marion, Illinois.

Dear Sir and Brother:

Your letter of February 27th is received, also Money Order for \$5.00, and your card, which I have stamped up and am returning same to you.

I regret very much to learn of the awful seige of sickness and sad bereavements that you have had in your family. I received the paper that you sent me with the account of the accident that occurred to your nephew.

Yes, politics are boiling in this state, but the gubernatorial contest will be settled in a few days. It will make but very little difference whether Peabody or Adams is seated, the latter does not seem to have the backbone of an eel. If he had, all the trouble since election would have been averted.

All your friends are well, and I am sure would be pleased to hear from you.

With best wishes, I remain

Yours fraternally,

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Encl.

Secretary-Treasurer.

107

(copy)

Pueblo, Colo., May 7, 1905.
Rural No. 1.

Mr. W. D. Haywood,
Denver, Colo.

Friend Will:

I arrived here from the East a few days ago and I expect to stop here for a little while, perhaps about a month, as my brother-in-law is doing some building and I am going to help him. How are things in general? I suppose you and the Ex. Board will soon go to Salt Lake.

Where is Paddy H. Mullaney? Will Aikman? John Harper? Are Dixon and Hagan in Denver yet? Give my regards to friends and acquaintances at Convention.

With best wishes to all friends,

Address me

W. B. Easterly,

Pueblo, Colo.

Rural No. 1,
c/o W. A. Goodman.

Denver, Colorado. May 9, 1905.

Mr. W. B. Easterly,
c/o W. A. Goodman,
Pueblo, Colorado.

Dear Sir and Brother:

I just received your letter of yesterday. I was pleased to know that you were back with us again and hope that everything will go nicely for you from now on. I do not believe that you will be disturbed by the Teller county authorities. From all inquiries that we have made I do not think that there is any charge against you, at least Hags has so informed us. I questioned him very closely as I knew that your picture had been sent around to different sheriffs, but he says there is positively no charge standing against you in the district of Teller at this time.

Harper was in the office and I showed him that part of your letter where you were inquiring about him. Paddy Mullaney is in the district. Aikman is in Goldfield. The other boys that you were inquiring about are not in Denver at the present time. I wish that you could come to the convention.

With best wishes, I remain

Yours fraternally,

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Secretary-Treasurer.

(COPY)

Denver, Colo., Feb. 5, 1906.

Mr. W. B. Easterly,
Silver City, Idaho.

Friend Bill:

Got your letter of the 26th in due time, and was indeed pleased to hear from you, and will expect to hear as frequently as you have any information to convey.

The detectives are going to make a superhuman effort to earn that twenty-five or thirty thousand dollars reward. The fact that Attorney Crump and Sheriff Bell are mixed up in the matter is very good evidence to us that there is a conspiracy on foot and an effort to connect the W. F. of M. The federation stands for justice and you know how much justice men of Cripple Creek would have received if it were not for the efforts in their behalf by the organization.

President Moyer has just returned from Chicago where he attended a very interesting meeting of the I. W. W., which is growing very rapidly.

With best wishes, I remain

Yours fraternally,

Sec'y-Treas.

Silver City, Idaho. 1/24/06.
c/o Blaine Mine.

W. D. Haywood,
Denver, Colo.

Sir:-

Find Money order for Two Dollars, (\$2.00) for which please send me eight books of "Anarchy in Colorado," "Who is to Blame."

I have gotten some of these fellows somewhat interested in corporations conspiracy since the Ex. Governor "Passed over the Range" and I want to show them what has been done.

I will write you again in a few days of the outlook here.

Yours fraternally,

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University of Colorado
at Boulder Libraries

W. B. Easterly.

(copy)

Silver City, Idaho. 1/26/06.
c/o Blaine Nine.

Mr. W. D. Haywood,
Denver, Colo.

Friend Haywood:

I stated the other day that I would write you soon in regard to the outlook in this country in condition over the Ex. Governor's assassination. I am not situated so I can watch the situation as closely as I would like to, but I am convinced that there are some very deep schemes working to try and connect the W. F. of M. or the officers in the affair. On that \$25,000.00 reward will cause these detectives to manufacture all kinds of evidence, and while we are satisfied that Orchard did not do the act, they will do everything in their power to convict him as he is a member of the W. F. of M. I do not understand their move in taking him out to Boise and keeping him in the state prison now, unless only to create prejudice against him in this state, as all kinds of stories go the round here to poison the minds of the people against the organization and Orchard. All the papers in this state of any circulation are as poison against labor and our organization. As the Denver Republican is, so they mold public opinion to a great extent. The Idaho Statesman, Idaho Capital and Spokane Review all have a wide circulation in this state and they are under control of capital influence. Prejudice is so hard against Orchard in this state that it will be hard for him to get a fair trial, as I think that there are some people here who believe that it is only a conspiracy to convict him and the officers of the W. F. of M. and they are afraid to express their belief against such a scheme. Nugent, the attorney here, has a "Political Bee in his Bonnet" so he is afraid to take up Orchard's defense but says that he would take the interest of the W. F. of M., but not to defend Orchard. I see where they are trying to convict Simpkins with the affair; so all these things go to show to what extent they are working to do. I heard that they made inquiry of me to see if I had been laying off during any time near the affair. Also Hanlon, the secretary here, and I think there are two detectives in Silver now trying to work up something here. I cannot hear anything of the defense that he, Orchard, has. I would like to help him if I could do anything, but I cannot see what I can do now as I do not understand his line of defense. If anything should show up that I can be of any assistance to him or the W. F. of M., let me know and I will see to it.

Hoping that things will soon be all O. K.,

Yours fraternally,

W. B. Easterly.

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The Knights of Columbus is the leading Catholic organization of America. It is composed of Councils, located in the various Archdioceses. The country is divided up into districts with a certain number of members in each district.

The headquarters of the organization is in New Haven, Connecticut and the National head is James W. Hearne of that city.

A short time previous to the organization of Denver Council (1901) one of the National organizers, a Mr. Maloney, visited Denver in the interests of the National Body, seeking to organize a council in that city.

The custom usually followed out was to carry his introduction to the Archbishop or Bishop of the Diocese. This was not done in the case of Denver Council, but instead, he carried a letter from James W. Hearne, National President, to James McParland. McParland went to see the Bishop and laid the matter before him and from him obtained the names of the men of the city who would, in his opinion, make desirable members. The application for the Charter, as filed with the National Body, contained about 25 names and at the head of the list was James McParland. All arrangements were made for the proper organization of the council and a degree team from Chicago went to Denver to initiate the new members and institute the Council. On the night of the institution of the Council, McParland was absent from the city, as he was also on two succeeding meeting nights. This made it necessary for him to be balloted for, the same as any other new members, applying for membership after the first batch were admitted on the night of the institution of the Council. When his name was proposed, a number of the members decided that he would not make a desirable member and when the balloting commenced there were a number of white balls in the ballot box and 29 black balls. When the ballot had been taken a number of the members, who had not voted, stated as a reason that the black balls were exhausted and they did not care to vote. The vote was 29 black balls, 12 white balls and 24 members not voting for the reason as stated. According to the bylaws of the organization, this would debar him from membership. Six months later there was filed an application for a charter for San Francisco Council, located in the California city, and the name at the head of the list was James McParland. The night this Council was instituted, he was on hand and

was initiated a member of the Knights of Columbus.

Stamp in stamp.

* 1000. Cash
500 Feb 10
500 March 1st
500 After 1st trial
500 " 2d trial
500 " 3rd "

If only one trial to have
1000, after trial

* 2000 in case of
success on all cases

STATEMENT OF MR. FRANCIS BUTLER

Statement of Mr. Francis Butler,

Sometime during the winter or spring of 1906 an article appeared in the Spokesman Review purporting to come from Francis Butler. Shortly prior to the second day of Feby. 1907, Mr. Miller met Mr. Butler on his way to Wallace and invited him to make a statement of all he knew about that matter. On the 2nd day of Feby. 1907, Mr. Butler came to the office of Mr. Miller and Mr. Richardson, in Wallace and made the following statement in substance and effect.

Sometime in the latter part of the month of October of 1905, he was passing by the saloon in Spokane known as the "OWL" The Salvation Army was holding a session close to the corner on which the saloon is located. As he was passing by a man accosted him whom he now knows to be Harry Orchard, but with whom he was then unacquainted. He said to him in substance as follows:

Your name is Francis Butler is it not? I replied that it was. He said I used to know you up in the Couer d Alenes didn't I? I said you might have but I dont remember you? He said my name is Harry Orchard I used to be up in the Couer d Alenes and I was a union man. Then he asked me if I was not one of the bunch that got sent over the road during the troubles in 1899. I told him that I was. Then he asked me how the matter came out. I told him that the appellate court had reversed the decision of the lower court and had turned us losse. Then he said Have you any idea of getting even on the matter? I said No that I had approached Charley Voorhes on the subject and he had advised me that it would take years before I would have any chance of getting even; that the action would be against the government and he did not know as you could recover against the government any way, and if you could it would take generations. Then he (Orchard) said I dont mean that there is another way of getting even. I have got an idea in my mind of how to get even, then I said the only way I know is to bring an action and that cant be done. Then he said come over to Durkins and have a drink. I went over with him and we had several drinks together

over Durkins bar. After he
got mellowed up.

over Durkins bar. After he got mellowed up pretty well, he asked me if I knew Moyer. I told him no, only by reputation. He then asked me if I knew Haywood. I told him no but I had had a letter from Haywood once after I got out of the pen. I had written to Haywood for some money after [redacted] was turned loose and I got a letter back from Haywood about that matter. He asked me if I had that letter, and I told him I thought I had. He then asked me if I could get that letter and let him have it. I told him I thought I could. Then he showed me a letter that he had addressed himself and asked me if I did not think that his writing looked a good deal like Haywoods. I told him that I couldn't remember. He then asked me if I knew where St Clair was (StClair was one of the witnesses against Paul Corcoran and also against the others) I told him I knew he was in Spokane and I thought he lived on the North side. I told him to go and see one M.C. King who was the Secretary of the Foresters and he could probably tell him where St Clair was as he St Clair was a member of that order. I also told him that St Clair had been ejected from that order because the order had found out that he was an ex-convict from Deer Lodge and had made trouble for the miners by his testimony in the Couer D Alene District. He wanted me to go right then and see if I could find the Haywood letter, but I told him the house where I lived was too far out of town and I would not go. A day after that (the next day) at about ten o'clock in the forenoon I had occasion to go into the Empire State building in Spokane. As I stepped into the rotunda who should I meet but this man Harry Orchard coming out of the elevator. He did not look at me or speak to me and I am not sure that he saw me. This was the same building that the Phil detective Agency was and still is located. My address is care of James Cullins Spokane Press who always know where to find me if I am wanted.

Francis [unclear]



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114

STATE OF COLORADO,

County of Teller. SS.

A. H. Rogers, of lawful age, being first duly sworn upon oath, according to law, doth depose and say:

That the statement made herein is made of his own free will and accord, and that all of the matters stated herein are true of affiant's own knowledge.

Affiant says that he left The Western Federation of Miners at the time of the beginning of the strike on August 10th, 1903; that he was virtually compelled to leave The Federation by A. E. Carlton; that Carlton held a loan upon his property, and gave affiant to understand that unless he left the Federation his property would be sold under the loan.

That affiant acted as a guard at The Golden Cycle and Findley mines until the militia came into the Cripple Creek district; that during the time between August 10th and September 4th, 1903, affiant was present at the Golden Cycle Mine when Sherman Parker came over to talk in regard to settling the strike; that affiant and L. E. Hill and Bill Gleason were told to shoot Parker upon the slightest provocation. That on or about the 25th day of August, A. E. Carlton asked affiant to join in with others and make an assault upon old man Stewart in order to get the militia into the district;

115

that affiant did not participate in said assault.

That when the militia came into the district, affiant was told to report to General Bell, which he did, and afterwards acted as a confidential man, or, as they called it at the time, "A PLAIN CLOTHES MAN," or a detective. That affiant helped to pick out Union Men, who were to be sent to the bull pen, and assisted in the arrest of Sherman Parker, Kennison and various other men. That on or about the 20th or 21st day of November, 1903, affiant, with a number of other picked men were to go to Telluride; that affiant was told at that time to wait, that something would be pulled off at the Vindicator, and that the explosion occurred at the Vindicator on the same day; that about that time, K. C. Sterling brought an electric battery to affiant, which battery was afterwards found in Easterly's cabin; that Sterling told affiant to place the battery in Parker's house, and find the same, and then arrest him; that Major Mc Clelland told affiant to arrest Parker and kill him; that affiant did not do so, because when he arrested Parker in Mrs. Morrison's house, Parker was with his wife and she had her arms around him. That when Parker was in the bull pen a revolver was hidden where Parker could find it, and it was agreed that if he found the revolver and was seen with it in his possession, he was to be shot down and no questions asked.

*Rec'd
of
McClelland*

116

That the accident, which occurred at The Stratton's Independence Mine about Christmas time, 1903, was the result of some plan on the part of the Mine Owners. That Maywood, the engineer, who was running the engine at that time, told affiant that machinery had been jobbed by some one in the employ of the Company; that no one else could have had access to the same, and that something was done so that at a certain time the engine became unmanageable, and the cage was pulled into the shive wheel. That after the second accident, in which the fifteen men were killed in January, 1904,

Frank Bellise told affiant that machinery had been tampered with, and by some one connected with the management of the mine; that he simply could not control the engine, and that he did his best to prevent the killing of the men, but could not do so, and that he was sure that the thing had been fixed up purposely by those in control.

A few days before the explosion on June 6th, 1904, at Independence Depot, Sterling asked me about the battery, and told me that something would be done in a few days at Independence.

On June 5th, 1904, Bill Jenkins and affiant watched the Peace Committee and Parker at Independence. At about eleven A. M. the Peace Committee were near the Hull City shaft house, at the old Fox

shaft; they went from there up the street to the railroad track, which runs from the Findley to the depot; then they went up the street to a point between the Shurtloff and the Delmonico; they then went around the Delmonico shaft house, and talked with some one (whom affiant thinks was the blacksmith), and then went on to Altman, and came back late that afternoon.

On the afternoon of June 5th, affiant was called by 'phone to come up to the Findley mine. He went there and met A. E. Carlton, who told him to be around where they could keep in touch with him during the next day or two, and criticised him because he had not been as actively engaged as Carlton seemed to desire.

Affiant was in bed at the time of the explosion at the Independence depot. He was stunned by the explosion, but as soon as he recovered he tried to turn on the electric light, but explosion had broken the connection. He then tried the 'phone, but that wouldn't work. About that time a man, by the name of Kirk, knocked at his door and told him that the depot was blown up and a number of men killed. Several men were with Kirk, and all were fully dressed, and evidently had not been to bed. At the depot the first man affiant met was Hesslin, the blacksmith. Affiant went to Wilson's house, with others, and an injured man was on the bed, and Dr. Paxton was attending him, and he also was fully dressed and

had his medicine case. Affiant talked with Wilson, and was told by him that he was warned to get away from so near the depot some days before, but that he had not done so. In a very short time afterwards a switch engine came in with Carlton, Newcombe, Murphy and Dr. Magruder. A little time before this, Holman came up and said that he knew nothing about the matter until phoned for by Corbin, the druggist. Affiant tried Corbin's 'phone a short time afterwards, and the connection had been broken by the explosion.

As soon as it got light, I looked around and saw a wire strung along the railroad track, and I said to Holman "There's the wire that pulled it off," and Holman said "Yes, I know the wire is there." I followed the wire to the end, and saw the end of the wire fastened to a leg of a chair, and I picked it up, and Holman swore at me and told me to put it down, and asked me if I didn't know better than that.

I talked with Carlton that morning, and he told me to arm myself and come to Victor early that afternoon and bring all the men that I could. He said "You know where to get the guns, at the Mine Owners, and Citizens' Alliance Headquarters, and if there are not enough there, buy them at any of the hardware stores in town, and charge them to my account." He also told me that not a wheel would be turned until all of The Western Federation of Miners would be driven out of the district.

I saw Sterling that morning and he asked me if this job (meaning the explosion at the Independence station) had been done with the battery. I told him no, that I still had the battery. He then told me that he wanted the battery placed in a cabin where we could find it, and place the blame upon The Western Federation of Miners.

I went to Victor in the afternoon, and was present in the room when Robertson resigned. Carlton told me to come on with him and to guard him, and that if any one made any move towards him, to kill the person, and that he would clear me if it took every dollar that he had.

We went over to the square, and were instructed before we went over there, that, when the meeting had gone on for some time and a little excitement was started, I was to fire a shot under the wagon, and that was the signal to start the riot. All of the gun men, or at least the ones who had the confidence of Carlton and his crowd, were told that as soon as the riot was started, they were to shoot the Federation men, and kill as many of them as they could. Some one else fired the shot and precipitated the riot before we were quite ready.

Right after the riot, Harry Moore told me to look up O'Connell, and if he offered any resistance to kill him. I arrested O'Connell and brought him in, and was blamed because I did not start a row and get a chance to shoot him.

120

While I was with Carlton, I saw O'Connell swearing in his deputies, and I called attention to the fact that he was arming a lot of men, and that it might result in trouble and danger. Carlton told me that it was all right, to let him go on arming the men, because if the men were armed that then we would have a good excuse for killing them, that we could kill as many as we pleased, and could claim that they were armed and had started the trouble.

Later in the afternoon, I arrested other Union men and brought them in, and was criticised by Carlton, Naylor, Franklin, and others, for bringing them in alive, and told that I should have killed them. Afterwards, they said that it was all right, we will hang them tonight as soon as it gets dark.

That night Carlton, Holman, L. E. Hill, and others, held a conference as to whether they should take the men out, who were arrested, and hang them. This would have been done but for the protests of a few who were present. Charles Walden was one who protested against the hanging.

Later in the afternoon, a number of us got a train and went over to Independence and Altman, with instructions to arrest Federation men. Most of them had hidden out, and we only got a few. We then went to Goldfield and arrested Brothers, the marshal there. I was told to kill him. We made a number of arrests, and then went

over to the Union store, and knocked in the door and destroyed very much of the property. Carlton and his crowd told us to destroy the store.

I was at Dunville and arrested one of the James boys, and was told to kill him, and some of the others tried to kill him, but I wouldn't let them. Garley had his hands up, and the party composed of H. Keegan, Bittmore, Baldwin, Rogers and others, fired and killed him.

On June 11th, I met Sterling, and we took the battery, which I have heretofore mentioned, and placed it in Easterly's cabin. I then pretended to find the battery. Sterling objected to my finding it, and said that he wanted me to give it to him, so that he could claim to have found it, and thus earn his salary. He said that he had to do something to make believe that he was working for his salary.

Sometime in June I was sent to Denver with warrants for various persons, and I helped to arrest Kennison. Harry Moore went there too, but he got drunk and told people what he was there for.

Afterwards I went to Cheyenne for Orchard and Neville. Crump gave me \$50.00 for expense money, and Governor Peabody procured transportation for me. Neither of them were there, and so, after remaining there for a couple of days, I returned to Denver, and went to the labor picnic at Rocky Mountain Lake to find some Federation men.

I then returned to Cripple Creek and reported to Crump. And sometime in July, Crump proposed a deal to fix up evidence. He told me to get men who would swear that Haywood and Pettibone were present with Parker and the Peace Committee, in Independence on June 5th, and that these men and myself were to testify that we had overheard them conversing together, and using this language: "We want you to be sure and pull off this deal, and if this is done successfully, then Steunenberg will be the next man we will get after: that will be the next job." William Jenkins, P. M. Kirk, Jess Sumner, Joe Miller, Charles Winze, Tom Scalla, ^{Ely - Steunenberg} K. G. Sterling, Frank Vanneck, ^{P.C.} and myself were to swear to hearing the conversations and the terms of the conspiracy. Crump asked me to get men to swear to this conspiracy, and said that they would be paid \$500.00 apiece.

After that I was again sent to Cheyenne to work up the deal, and to get evidence as to the payment of money to Orchard and Neville. I got two men, who were to swear that they saw Orchard and Neville cash two checks of fifteen hundred dollars (\$1500.00) each in Hynds gambling house at Cheyenne; the names of these two men I have forgotten, but will be able to get them again; ^{Alfred H. Dimous & Tom Andrews} and a gambler, whose name I have also forgotten, ^{Johnson} agreed to swear that he cashed the checks.

Warford, Waters, Guyton, Vanneck, Scanlon and myself were

instructed by Carlton, and others, to kill all of The Western Federation men who came back to the district. L. S. Moore and Bill Gleason were in with us for a while, but Carlton and his crowd did not use them long, being afraid to trust them.

~~In August, Carlton, Franklin and Holman directed the six of us to meet the train at Gillette, and take the Western Federation attorney, Frank J. Hays, off the train and kill him and drop him in a prospect hole. Vanneck, Scanlon, Guyton, Warford and Waters at Gillette, and take any deportee off the train and drop him in a prospect hole or otherwise dispose of him. Vanneck, Scanlon, Guyton, Warford and Waters and myself met all trains for that purpose, but no other definite time was set by them.~~

On August 20th, Carlton telephoned over to me and wanted me to come over and assist in the deportation on that day. I was sick and unable to come. Afterwards, Carlton told me about the deportation, and told me that the plan was to have one crowd deport the men and return to the city; the other crowd was to be hidden along the line that the deported men would have to follow, and murder them as they came along, but that for some reason the second crowd failed to make connections.

On November 7th, 1904, A. T. Holman asked me to go to Precinct No. 48 and murder Leabo and Miller the next day, but I did not go. He also asked Bill Gleason and Gleason agreed to go, but, after con-

sultation, they concluded that Bill could not do the job, that he was likely to get killed himself. They wanted sure work done, and they finally sent Jim Warford and Tom Brown. The instructions were to take no chances, but to kill the men at the first opportunity.

I have had a number of conversations with Pinkerton detectives in reference to the conspiracy story at the Independence station, and with reference to Steunenberg, which Crump fixed up, and they all said that the deal was to go as originally planned. I had a last conversation with Floyd Thompson in August, 1906, and I told him that if the Mine Owners wanted me to testify, that they would have to treat me a little differently. He said, of course, I was expected to testify, and that I would be taken care of, and that I would get \$1,000.00 for my evidence.

Carlton and others of the Mine Owners, have repeatedly said that they wanted me to testify, and that I was expected to testify as to hearing the conversation over at Independence on June 5th, at which time Haywood and Pettibone were said to have been present. A few days ago (Friday, December 15th), Carlton told me that the evidence was complete, and that they intended to convict the men, and that none of the men would leave Idaho alive.

This is a general statement of the matters within my own knowledge. With a little work, I shall be able to give further

details, and have a more complete list of the names of the persons connected in these matters.

Further affiant sayeth not.

(Signed) A. H. ROGERS,

Subscribed and sworn to before me this 19th day of December,
A. D. 1906.

My commission expires October 27th, 1907.

(Signed) Sydney H. Bourne,

(SEAL.)

Notary Public.

The following are extracts from conversations held between A. H. Rogers and the persons mentioned hereafter, in regard to conspiracy put up by Sam Crump, in regard to evidence to be used in the Moyer & Haywood trials in Idaho.

I met Joe Miller on Bennett Ave. in Cripple Creek on December 22nd, 1906. We went into the Newport saloon and sat down, and Miller told me that he was still being paid to stay in the district and be in readiness to go to Idaho to testify to the conspiracy supposed to have been overheard at Independence between Harry Orchard and the Peace Committee. He also said that if the money was not paid before he went on the stand, he would never testify.

Tom men
I saw Thomas Scalla and Chas. Winze at their cabin on Bull hill December 26th, 1906, and they asked me if I still intended to go to Idaho to the trial of Moyer & Haywood, and if I thought that they would get their money all right if they stood pat and went through as they were instructed to, as they said the money was not coming any too regular now. Winze said to me at that time: "Rogers it is a hard thing to do to get on the stand and swear to a damn lie, such as we are going to do, when it is liable to cost those men their lives." Scalla said, well as long as you get paid well for it, what do you care? Winze said, if they get after me very hard I am liable to tell the truth about the whole damned affair..

121
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Talked with Frank Vanneck on the low line car December 27th, 1906. He said that his boss (Wm. Bainbridge, Supt. of the El Paso mine) had talked with him on several occasions in the office at the mine, in regard to the trial of these men in Idaho, and that if money would convict them, they would be convicted, whether they were guilty or innocent, as they had them in a state now where they could hang them if the evidence would anywhere near warrant it, and that they had some of the very best men in the country working and fixing up evidence, and had all the money they wanted to pay men to perjure themselves. I said, their pay had all been talk with me yet, and if they did not get down to business I would not be there. Vanneck said, now don't get sore Rogers, as they are depending on all of us fellows to stand pat on the conversation fixed up by Grump, and they don't want any of us fellows to go back on them. He was surprised to hear that I was not being taken care of, and said that A. E. Carlton was to take care of Sterling and myself.

Vanneck also told me that he had been down to Canon City to see ^{Libe} Warford and Kenley, ^{14 years} and was told then that they were making statements that they would tell some things pretty soon if they were not shown that they would be liberated soon. Vanneck was told by Bainbridge to tell them that they would be taken to Idaho, and if they testified as they were told to that they would never return to

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the penitentiary, but would be pardoned at once.

Vannsek must have told Carlton that I was sore about my not being paid, as Carlton told me a day or two after that if I went on the stand and done as they told me to, that I would be paid double what Crump had agreed to give me.

I saw Jess Sumner in Denver on January 4th, 1907, and he said that he was drawing money at this time from the Mine Owners, and that he was working on some new evidence here to be used at the trial in Idaho, but the proposition was so cold blooded that he did not think it would work. He would not tell ^{me} what it was at that time, but said he would tell me later.

I had lunch with Arthur Cole at Watrous' Cafe on January 7th, 1907, and had a long conversation with him in regard to affairs since the strike; among them was that he knew positively that all the large mining companies of this state had contributed largely toward getting Moyer & Haywood convicted; also, that all kinds of perjured evidence was to be used at their trial, and that he (Cole) had turned down a proposition to swear to some things that were not the truth. Major H. A. Naylor is the man who made him the proposition.

I had a conversation with K. C. Sterling at the Brown Palace Hotel on the 9th of January, 1907, and Sterling asked if I had ever

told any one about seeing him and Harry Orchard together on Bull hill just a few days before the Depot explosion, and I said, no. He then told me to be very careful to not let that get out, and to be very particular when I was on the stand, if the question was asked me, to say no, and stick to it, as they would try and make something out of it.

I saw K. C. Sterling and Harry Orchard together several times at night just prior to the Depot explosion; one time, just a few nights before, they sat on some loaded ore cars just under the Pindley ore house. I was making my rounds about 10:30 or 11 o'clock on this particular night, and seeing them there I inquired who it was. Sterling spoke up and said, never mind, Rogers, we have business here. When I saw who it was I stood and talked a few minutes, and went on, as I knew that Sterling was all right, and thought that he was merely trying to find out something from Orchard. Now this is the time that he wants me to keep quiet about.

I talked with P. M. Kirk on the 12th of January, 1907, and he said he was making the Association dig up right regular now, as they seemed very desirous of using him, and that he was told less than a week previous to this time that us men of Grump's would be very valuable if we did not get confused, and all stuck to the same story. Kirk also told me about a conversation with Harry Orchard

about a week previous to the explosion, at which time Kirk said he would like to get hold of some easy money, and that Orchard told him, why don't you talk to Sterling, he can help you out. Also, that he, Orchard, had a deal on at that time where he would get a good bunch of money and then he was going to get out of the district.

131

Talked with Alfred F. Simons and Tom Andrew in Cheyenne, Wyoming, on January 14th and 15th, 1907. Took the two of them out to dinner on the 15th. We had several drinks, and during the conversation they both told me that they were being paid to stay in Cheyenne, and that they were in communication with Sam Crump, and, in fact, showed me letters from him in which he said to stay there until they were wanted to go to Idaho. The story they are to tell is to the effect that they met Harry Orchard and John Neville in Cheyenne in June, 1904, about the 12th, they having known them in the Cripple Creek district before the strike, and were around town with them through the day, and both Orchard and Neville seemed to have quite a roll of money. They had several drinks together and ate supper at a restaurant. In the evening the four of them took in the gambling houses and Orchard ran across a gambler named Johnson that he knew in Victor. This man Johnson had charge of the games in Harry Hynd's place, and seemed to know Orchard very well, and as he saw Orchard lose several hundred dollars in cash, when he asked him, Johnson, to cash a check for him. He asked to see it and took the check to some one else; when he came back he said he would let Orchard have \$500.00 on it and give him the balance in the morning, which proposition was accepted. On the morning follow-

132
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ing both Simons and Andrews went with Orchard and got the rest of the money. Neville had a check of the same kind and for a like amount \$1,500. Orchard was to have told Simons and Andrews that he and Neville had turned a trick for the Western Federation of Miners, and that these checks were part payment. Both will say that they saw the signatures of Wm. D. Haywood and Chas. H. Moyer on them.

Now this proposition I know was fixed up by Sam Grump; he produced the check and I the men. These men told me that they were receiving money at regular intervals from Colorado Springs, as was also Johnson. His full name is H. E. Johnson.

In one of Grump's letters from Ely, Nevada, he told them that he would be at the trial to have charge of the men who were to testify.

133

I talked with Frank T. Gillesse at Eaton, Colo., on January 18th, 1907, and he told me that he was satisfied that some one in the employ of the Stratton's Independence mine tampered with the engine on the night that the thirteen men were killed, as he had run the hoist all that night and for some time previous, and had worked around and run first motion hoists all his life, so he was perfectly familiar with them. Gillesse also said that it was absolutely impossible for any one who could not show a good clean record to get employment with that company when he was there, and especially around the engine room or boilers. He had noticed a day or two before the accident that when he first went on shift that the engine acted queerly, and reported the fact to the master mechanic, who only laughed at him and said that he was nervous, as the engine was in fine shape. He remembered at the time the trouble that Paul Maywood had and what Maywood had told him at the time about some one doing something to the hoist, so that it was unmanageable, and particularly just after they would quit hoisting dirt, as there was a few minutes time in which the engineer was not in the engine room, as they usually washed and got ready to go home before lowering the cage for the men. Gillesse told me that he is positive that some one was about the hoist and tampered with it on at least four occasions while he was there, and the same thing happened twice to

134
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Maywood before he took the cage into the snive wheel. He (Maywood) went out and washed and changed his clothes, came back and was ready to hoist the men, when the cager loaded one more cage of dirt and gave him one bell, which is the signal to hoist. He was expecting the men to be on and did not start, as the signal to hoist men is three-one. Presently he got one bell again, and he then started the cage upward, knowing that the men were not on. As the cage neared the surface he tried to apply the air brake, but it would not work, so he started to reverse the engine and shut off the steam, but it was too near the surface, and it came on up and went through the roof. Maywood was at once arrested and blamed for trying to kill a cageload of men, and every means was tried to fix the responsibility on the Federation, as Maywood had been working on the Portland before coming to the Independence. The men on the Portland were all union men, so the military authorities tried to fix up a story that Maywood was sent there by the Federation to kill a cageload of men.

Gillesse said that the conditions were just the same with him as with Maywood, and that at four different times he was unable to handle the engine, and it was only by running slow and keeping his head that he got it stopped and avoided an accident. The trouble was always in the same place, and was caused by a bolt being removed

from the brake. Gillesse says that it was impossible for it to work loose and drop out itself. The master mechanic had been warned several times that some one must be monkeying with the brake, but he always laughed and said that no one had access to it but mechanics who knew their business, and that he was responsible for the engine and knew that it was in perfect condition. On the night that the men were killed Gillesse had not been drinking and was not asleep, nor was he sleepy, but was in perfect shape to work. He looked the engine all over and tried it, as was his custom when going on shift, and found everything in good shape. He worked from 12 o'clock midnight at this time, having changed the Sunday before onto grave yard shift. On the night of the accident everything worked all right up to two o'clock, when he quit hoisting dirt. There were three shifts of engineers and two of miners. The engineers went to work at eight in the morning and quit at four; the afternoon shift at four and were off at twelve midnight; the grave yard shift from twelve until eight in the morning. The day shift of miners went on at eight and quit at 4:20, and the night shift at six, quitting at 2:20, so the engineer who came on at midnight only had two hours of hoisting dirt until the men came up. From then until morning he did nothing only wipe up the engine and raise and lower the pumpmen.

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On the night of the accident Gillesse had hoisted a great deal of dirt, and the hoist was in fine working shape when he got down at 2 o'clock, washed his hands and lit his pipe and walked out in the air, as there was nothing to do until 2:20, when the men came up. On this night he says he was out of the engine room for ten or fifteen minutes, when he heard the cager ring for the cage. He went in and let the cage down and loaded the men and started up. When at about four or five hundred feet from the surface he tried his air brake, and it did not take hold. He reversed the engine, shut off the steam, and let them down back the shaft for a hundred feet or more, catching it with the steam, and started up again, but the brake was still out of order. This proceeding was repeated several times for perhaps five minutes. Finally, when less than one hundred feet from the surface, he thought he could control it and tried to apply the brake, but it was of no use; the cage shot past the surface and dropped back into the shaft.

Gillesse was immediately arrested and thrown in jail. A committee was appointed to investigate the engine. He asked to go along or to have a representative on the committee, but was denied that privilege. He also told Mr. Becker and Mr. Trevall what, in his estimation, caused the wreck, and said that he had repeatedly told the master mechanic about it, but no attention was paid to him.

Several days afterward W. W. Trevell and Tom Mc Lelland came to him and said, now Gillesse, you might as well tell us about this, as we know you were hired by the Federation to do this job, and if you make a confession and put the blame where it belongs, you will come out all right. He told them that he was not hired to do it, and if there was any job put up he was not a party to it. Mc Lelland had a paper which he told Gillesse if he would sign and swear to, he would be released at once and furnished enough money to get out of the country with. He said, let me read it, but they would not let him.

A few days later Mc Lelland, Trevell and Becker came to him and asked him if he did not see De Witt Copley in the engine room on the night of the accident between two and 2:20. He said, no, there was no one in there only employees of the company. Mc Lelland took him aside and said, now look here, Frank, we don't want to do anything with you for this, and the best thing for you to do will be to say that you saw Copley in the engine room, and we have other men here who will say the same thing, and then sign this paper. Mr. Becker will then give you a good bunch of money and you will be got out of the country, and as we have evidence to that effect anyhow, you will be fixing yourself and can get away without any trouble. He refused, and was talked to at various times afterwards about the

138.

same thing. Finally, a friend of his from Arizona was brought in and he tried to talk him into accepting Mc Lelland's proposition.

Since he was released and went to his home in Oakland, California, he has received letters from various persons in the district, that whenever he needed any money to come back and he would be taken care of, but he says that the killing of those men has ruined his life, and he does not want the strain of having lied and trying to implicate any one else in it, as he is satisfied that some one in the employ of the company done the work, but he cannot prove it, so will take the responsibility himself, as he did not see any one around the engine, but he was out of the room and some one must have tampered with it, as it was all right at two o'clock.

Stratton's Independence was at that time within the guard line of Camp Goldfield, and D. G. Copley or any one else, except employes of the mine, could get in, as the men all had military passes.

Michael O'Connell, deposed City Marshal of Victor, came to Denver sometime during the month of June, 1904, he being at that time out on bond, under the charge of inciting a riot in the City of Victor on June 6th.

Mrs. Waters, wife of Harry Waters, known as "Kid Waters," told a particular friend of my wife, Mellie Strickler, whose name I will get and insert,

that Kid Waters upon his death bed, shortly before he died, made the statement that he and H. F. Guyton came to Denver and murdered Michael O'Connell, they being secreted in a closet in his room at the Markham Hotel. When he entered the room they struck him over the head with a sand bag, knocking him insensible; carried him to the window and dropped him out of the window into the court below, where he was afterwards found. That the job was done at the solicitation of the Mine Owners' Association of the Cripple Creek district.

State of Colorado)
County of Teller) ss

A. H. Rogers, of lawful age, being first duly sworn upon oath, according to law, doth depose and say:--

That the statement made herein is made of his own free will and accord, and that all of the matters stated here in are true of affiant's own knowledge.

Affiant says that he left The Western Federation of Miners at the time of the beginning of the strike on August 10th, 1903; that he was virtually compelled to leave The Federation by A. E. Carlton; that Carlton held a loan upon his property, and gave affiant to understand that unless he left The Federation his property would be sold under the loan.

That affiant acted as a guard at The Golden Cycle and Findley Mines until the militia came into the Cripple Creek District; that during the time between August 10th and September 4th, 1903, affiant was present at The Golden Cycle Mine when Sherman Parker came over to talk in regard to settling the strike; that affiant and L. E. Hill and Bill Gleason were told to shoot Parker upon the slightest provocation; that on or about the 25th day of August, A. E. Carlton asked affiant to join in with others and make an assault upon old man Stewart in order to get the militia into the District; that affiant did not participate in said assault.

That when the militia came into the District, affiant

was told to report to general Bell, which he did, and afterwards acted as a confidential man, or, as they called it at the time "A PLAIN CLOTHES MAN," or a detective. That affiant helped to pick out Union Men, who went to be sent to the bull pen, and assisted in the arrest of Sherman Parker, Kennison and various other men; that on or about the 20th or 21st day of November, 1903, affiant, with a number of other picked men, were to go to Telluride; that affiant was told at that time to wait that something would be pulled off at The Vindicator, and that the explosion occurred at the Vindicator on the same day; that about that time, K. C. Sterling brought an electric battery to affiant, which battery was afterwards found in Easterly's cabin; that Sterling told affiant to place the battery in Parker's house, and find the same, and then arrest him; that Major McClelland told affiant to arrest Parker and kill him. That affiant did not do so because when he arrested Parker in Mrs. Morrison's house, Parker was with his wife and she had her arms around him; that when Parker was in the bull pen, a revolver was hidden where Parker could find it, and it was agreed that if he found the revolver and was seen with it in his possession, he was to be shot down and no questions asked.

That the accident, which occurred at The Stratton's Independence Mine about Christmas time, 1903, was the result of some plan on the part of The Mine Owners. That Maywood, the engineer, who was running the engine at that time, told affiant that machinery had been jobbed by some one in the employ of The Company; that no one else could have had access to the same, and that something was done so that at a certain time the engine became unmanagable, and the cage was pulled into the shive wheel. That after the second accident, in

which the fifteen men were killed in January, 1904,

_____ told affiant that machinery had been tampered with, and by some one connected with the management of the Mine; that he simply could not control the engine and that he did his best to prevent the killing of the men, but could not do so, and that he was sure that the thing had been fixed up purposely by those in control.

A few days before the explosion on June 6th, 1904, at Independence Depot, Sterling asked me about the battery, and told me that something would be done in a few days at Independence.

On June 5th, 1904, Bill Jenkins and affiant watched the Peace Committee and Parker at Independence. At about eleven a.m. The Peace Committee were near The Hull City Shaft House, at The Old Fox Shaft; that went from there up the street to the railroad track, which runs from The Findley to the Depot, then they went up the street to a point between The Shurtloff and The Delmonico; they then went around The Delmonico shaft house, and talked with someone (whom affiant thinks was the blacksmith) and then went on to Altman, and came back late that afternoon.

On the afternoon of June 5th, affiant was called by phone to come up to The Findley Mine. He went there and met A. E. Carlton, who told him to be around where they could keep in touch with him during the next day or two, and criticised him because he had not been as actively engaged as Carlton seemed to desire.

Affiant was in bed at the time of the explosion at The Independence Depot. He was stunned by the explosion, but as soon as he recovered, he tried to turn on the electric light, but explosion had broken the connection; he then

tried the phone, but that wouldn't work. About that time, a man, by the name of Kirk, knocked at his door, and told him that the depot was blown up and a number of men killed. Several men were with Kirk, and all were fully dressed, and evidently had not been to bed; at the depot the first man affiant met was Hesslin, the blacksmith. Affiant went to Wilson's house, with others, and an injured man was on the bed, and Dr. Paxton was attending him, and he also was fully dressed and had his medicine case. Affiant talked with Wilson, and was told by him that he was warned to get away from so near the depot some days before, but that he had not done so. In a very short time afterwards, a switch engine came in with Carlton, Newcombe, Murphy and Dr. Magruder. A little time before this, Holman came up and said that he knew nothing about the matter until phoned for by Corbin, the Druggist. Affiant tried Carbin's phone a short time afterwards, and the connection had been broken by the explosion.

As soon as it got light, I looked around and saw a wire strung along the railroad track, and I said to Holman "There's the wire that pulled it off," and Holman said "Yes, I know the wire is there." I followed the wire to the end, and saw the end of the wire fastened to a leg of a chair, and I picked it up, and Holman swore at me and told me to put it down, and asked me if I didn't know better than that.

I talked with Carlton that morning, and he told me to arm myself and come to Victor early that afternoon and bring all the man that I could. He said "You know where to get the guns, at The Mine Owners, and Citizens' Alliance Headquarters, and if there are not enough there, buy them at any

of the hardware stores in town, and charge them to my account." He also told me that not a wheel would be turned until all of The Western Federation of Miners would be driven out of the District.

I saw Sterling that morning and he asked me if this job (meaning the explosion at The Independence Station) had been done with the battery. I told him no, that I still had the battery. He then told me that he wanted the battery placed in a cabin where we could find it, and place the blame upon The Western Federation of Miners.

I went to Victor in the afternoon, and was present in the room when Robertson resigned. Carlton told me to come on with him, and to guard him, and that if anyone made any moves towards him to kill the person, and that he would clear me if it took every dollar that he had.

We went over to the square, and were instructed before we went over there, that, when the meeting had gone on for some time, and a little excitement was started, I was to fire a shot under the wagon, and that was the signal to start the riot. All of the gun men, or at least the ones who had the confidence of Carlton and his crowd, were told that as soon as the riot was started, they were to shoot the Federation men, and kill as many of them as they could. Some one else fired the shot and precipitated the riot before we were quite ready.

Right after the riot, Harry Moore told me to look up O'Connell ~~and kill him~~ *and if he offered any resistance to kill him*. I arrested O'Connell and brought him in and was blamed ~~and cursed roundly because I failed to~~ *because I did not start a row and get a chance to shoot him* ~~kill him.~~

While I was with Carlton, I saw O'Connell swearing in his deputies, and I called attention to the fact that he was

arming a lot of men, and that it might result in trouble and danger. Carlton told me that it was alright, to let him go on arming the men, because if the men were armed, that then we would have a good excuse for killing them, that we could kill as many as we pleased, and could claim that they were armed and had started the trouble.

Later in the afternoon, I arrested other Union men and brought them in, and was criticised by Carlton, Naylor, Franklin, and others, for bringing them in alive, and told that I should have killed them. Afterwards, they said that it was alright, we will hang them to night as soon as it gets dark.

That night, Carlton, Holman, L. E. Hill, and others, held a conference as to whether they should take the men out, who were arrested, and hang them. This would have been done but for the protests of a few who were present. Charles Walden was one who protested against the hanging.

Later in the afternoon, a number of us got a train and went over to Independence and Altman with instructions to arrest federation men. Most of them had hidden out, and we only got a few. We then went to Goldfield and arrested Brothers, the marshal there. I was told to kill him. We made a number of arrests, and then went over to the Union Store, and knocked in the door and destroyed very much of the property. Carlton and his crowd told us to destroy the store.

I was at Dunville and arrested one of the James boys, and was told to kill him, and some of the others tried to kill him, but I wouldn't let them. ~~I saw Harley Keegan~~

~~shoot Carley in cold blood. Carley had his hands up, and the party composed of H. Keegan, Wittermorl, Baldwin, Rogers and others and Keegan had a rifle and took deliberate aim, and killed fired and killed him.~~ -6-

him.

On June 11th, I met Sterling, and we took the battery, which I have heretofore mentioned, and placed it in Easterly's cabin. I then pretended to find the battery. Sterling objected to my finding it, and said that he wanted me to give it to him, so that he could claim to have found it, and thus earn his salary. He said that he had to do something to make believe that he was working for his salary.

Some time in June I was sent to Denver with warrants for various persons, and I helped to arrest Kennison; Harry Moore went there too, but he got drunk and told people what he was therefor.

Afterwards, I went to Cheyenne for Orchard and Neville Crump gave me \$50.00 for expense money, and Governor Peabody procured transportation for me. Neither of them were there, and so, after remaining there for a couple of days, I returned to Denver, and went to the labor picnic at Rocky Mountain Lake to find some Federation men.

I then returned to Cripple Creek, and reported to Crump. And sometime in July, Crump proposed a deal to fix up evidence. He told me to get men who would swear that Haywood and Pettibone were present with Parker, and The Peace Committee, in Independence on June 5th, and that these men and myself were to testify that we had overheard them conversing together, and using this language "We want you to be sure and pull off this deal, and if this is done successfully, then Steunenberg will be the next man we will get after; that will be the next job." William Jenkins, P. M. Kirk, Jess Sumner, Joe Miller, Charles Winze, Tom Scalla, K. C. Sterling, Frank Vanneck and myself were to swear to hearing the conversations,

and the terms of the conspiracy. Crump asked me to get men to swear to this conspiracy, and said that they would be paid \$500.00 apiece.

After that, I was again sent to Cheyenne to work up the deal, and to get evidence as to the payment of money to Orchard and Neville. I got two men, who were to swear that they saw Orchard and Neville cash two checks of fifteen hundred (~~\$5000.00~~ dollars each in Hynds gambling house at Cheyenne, the names of these two men I have forgotten, but will be able to get them again, and a gambler, whose name I have also forgotten, agreed to swear that he cashed the checks.

Warford, Waters, Guyton, Vanneck, Scanlon and myself were instructed by Carlton, and others, to kill all of The Western Federation men who came back to the District.L.S. Moore and Bill Gleason were in with us for a while, but Carlton and his crowd did not use them long, being afraid to trust them.

~~These instructions were general~~
In August, ~~Carlton, Franklin, and Holmes~~ ^{we were} directed the six of us to meet the train at Gillette, ~~and take the Western Federation Attorney, Frank J. Hays, off the train and kill~~ ^{and take any} ~~definite~~ ^{or otherwise dispose of him} ~~and drop him in a prospect hole.~~ Vanneck, Scanlon, Guyton, Warford and Waters ^{and myself} ~~went to Gillette, but Hays was not~~ ^{met all trains} ~~on the train at that time.~~ ^{for that purpose.} The same parties on a number of occasions urged that Hays be murdered, but no other definite time was set by them.

On August 20th, Carlton telephoned over to me and wanted me to come over and assist in the deportation on that day. I was sick abed, and unable to come. Afterwards, Carlton told me about the deportation, and told me that the plan

was to have one crowd deport the men and return to the city, the other crowd was to be hidden along the line that the deported men would have to follow, and murder them as they came along, but that for some reason the second crowd failed to make connections.

On November 7th, 1904, A. T. Holman asked me to go to Precinct No .48 and murder Leabo and Miller the next day, but I did not go. He also asked Bill Gleason, and Gleason agreed to go, but, after consultation, they concluded that Bill could not do the job, that he was likely to get killed himself. They wanted sure work done, and they finally sent Jim Warford and Tom Brown. The instructions were to take no chances, but to kill the men at the first opportunity.

I have had a number of conversations with Pinkerton detectives in reference to the conspiracy story at the Independence Station, and with reference to Steunenberg, which Crump fixed up, and they all said that the deal was to go as originally planned. I had a last conversation with Floyd Thompson in August, 1906, and I told him that if The Mine Owners wanted me to testify, that they would have to treat me a little differently. He said, of course, I was expected to testify, and that I would be taken care of, and that I would get \$1000.00 for my evidence.

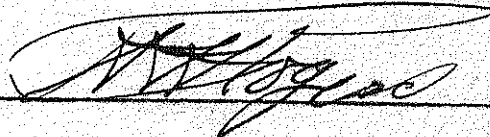
Carlton, and others of The Mine Owners, have repeatedly said that they wanted me to testify, and that I was expected to testify as to hearing the conversation over at Independence on June 5th, at which time Haywood and Pettibone were said to have been present. A few days ago, Carlton told me that the evidence was complete, and that they intended to convict the men, and that none of the men would

Friday
Dec.
15.

leave Idaho alive.

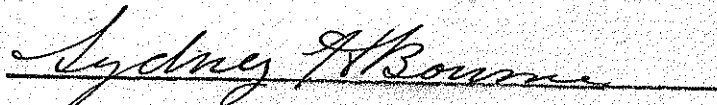
This is a general statement of the matters within my own knowledge. With a little work, I shall be able to give further details, and have a more complete list of the names of the persons connected in these matters.

Further affiant sayeth not.



Subscribed and sworn to before me this 19th day of December, A.D. 1906.

My commission expires October 27, 1907



Notary Public.

The following are extracts from conversations held between A H Rogers and the persons mentioned hereafter in regard to conspiracy put up by Sam Crump in regard to evidence to be used in the Moyer & Haywood Trials in Idaho.

I met Joe Miller on Bennett Ave in Cripple Creek on Dec 22nd 1906, we went into the Newport saloon and sat down and Miller told me that he was still being paid to stay in the District and be in readiness to go to Idaho to testify to the conspiracy supposed to have been overheard at Independence between Harry Orchard and the Peck Committee. He also said that if the money was not paid before he went on the stand he would never testify.

I saw Thomas Scalla and Chas Winge at their cabin on Bull Hill Dec 26th 1906 and they asked me if I still intended to go to Idaho to the trial of Moyer & Haywood and if I thought that they would get their money all right if they stood pat and went through as they were instructed to, as they said the money was not coming any too regular now.

Winge said to me at that time "Rogers it is a hard thing to do to get on the stand and swear to a damn lie such as we are going to do when it is liable to cost those men their lives" Scalla said well as long as you get paid well for it what do you care, Winge said if they get after me very hard I am liable to tell the truth.

about the whole damned affair,
Talked with Frank Sameek on the low hind car
Dec 27th 1906 - He said that his Boss (Wm Bainbridge
Supt of The El Paso mine) had talked with him on
several occasions in the office at the mine in regard
to the trial of these men in Idaho and that if money
would convict them they would be convicted
whether they were guilty or innocent as they
had them in a state now where they could hang
them if the evidence would any where near warrant
it, and that they had some of the very best men
in the country working and fixing up evidence
and had all the money they wanted to pay men
to perjure themselves. I said their pay had
all been talk with me yet and if they did not
get down to business I would not be there.

Sameek said now dont get sore Rogers as they
are depending on all of us fellows to stand
pat on the conversation fixed up by Crump
and they dont want any of us fellows to
go back on them. He was surprised
to hear that I was not being taken care
of and said that A E Carlton was to take
care of Sterling and my self.

Sameek also told me that he had been
down to Canon City to see Warford & Henley
and was told them that they were
making statements that they would
tell some things pretty soon if they
were not shown that they would be
liberated soon.

Vaneek was told by Bambridge to tell them that they would be taken to Idaho and if they testified as they were told to that they would never return to the penitentiary but would be pardoned at once.

Vaneek must have told Carlton that I was sore about my not being paid as Carlton told me a day or two after that if I went on the stand and done as they told me to that I would be paid double what Crump had agreed to give me.

I saw Jess Sumner in Denver on Jan 4th 1907 and he said that he was drawing money at this time from the mine owners and that he was working on some new evidence here to be used at the trial in Idaho but the proposition was so cold blooded that he did not think it would work he would not tell me what it was at that time but said he would tell me later.

I had lunch with Arthur Cole at Watrous' Cafe on Jan 7th 1907 and had a long conversation with him in regard to affairs since the strike among them was that he knew positively that all the large mining companies of this state had contributed largely toward getting Moyes & Haywood convicted also that all kinds of perjuries

evidence was to be used at their trial and that he (Cole) had turned down a proposition to swear to some things that were not the truth, Mayor H.A. Taylor is the man who made him the proposition, I had a conversation with K.S. Sterling at the Brown Palace Hotel on the 9th of Jan 1907 and Sterling asked if I had ever told any one about seeing him and Harry Orchard together on Bull Hill just a few days before the depot explosion, and I said no, he then told me to be very careful to not let that get out and to be very particular when I was on the stand if the question was asked me to say no and stick to it, as they would try and make something out of it,

I saw K.S. Sterling and Harry Orchard together several times at night just prior to the depot explosion, one time just a few nights before they sat on some loaded ore cars just under the Findley ore house, I was making my rounds about 10⁰⁰ or 11 o'clock on this particular night and seeing them then I inquired who it was Sterling spoke up and said never mind Rogers we have business here when I saw who it was I stood and talked a few minutes and went on as I knew that

Sterling was all right and thought that he was merely trying to find out something from Orchard, now this is the time that he wants me to get quiet about.

I talked with P.M. Kirk on the 12th of January 1907 and he said he was making the association dig up right regular now as they seemed very desirous of using him and that he was told less than a week previous to this time that us men of Camps would be very valuable if we did not get confused and all stuck to the same story, Kirk also told me about a conversation with Harry Orchard about a week previous to the explosion at which time Kirk said he would like to get hold of some easy money and that Orchard told him why don't you talk to Sterling he can help you out. Also that he Orchard had a deal on at that time when he would get a good bunch of money and then he was going to get out of the district,

Jan. 29.

Saw James Warford and Walter Kenley at Canon City, Colo. Warford told me that he had been visited several times by C. C. Hamlin and Gus Arnold and E. J. Boughton, and they told him that if him and Kenley were willing to go to Idaho and testify for the prosecution at the trials of Moyer, Haywood and Pettibone, they would be pardoned and would not have to return to Colorado. At one time E. J. Boughton prepared a statement for them to sign, but they would not do so until they were assured of their liberty. Kenley says he didn't know whether he could stand the examination by Richardson or not, as he would probably make it hot for him, as he, Richardson, knew so much about Kenley's past record that he would confuse him and make him admit some things he did not want to.

Jan. 30.

I visited Warford and Kenley again and Warford said, "Rogers, do you really think that these people are in earnest about this business with me or not, or do you think that they just want me to help them out, and then let me stay here?" I told him that I did not know, but that I would try and find out. Warford then said, "Well, if they put up a job on me this time, they will be sorry for it, as I shall tell some things that they will have a hard time of getting out of. As you know, they have not treated me right, or I would not be here now." Warford said, you know as well as I do that when Ed. Bell sent me to Goldfield to do the job on election day, that I was supposed to be taken care of in case I killed those fellows, and if I had known that they would go back on me I would not have killed them, as Bell, Holman, Gleason, Carleton and Bainbridge all said that if I killed one or both of them that they would see that I got out of it all right, but you know how they all went back on me when I had the racket with Bell.

Warford and Kenley both asked me to be sure and try and find out just what they intended doing about their pardon, and if they were not sincere in their promise they would not go to Idaho.

Feb. 1st. I saw Clarence Hamlin in Colorado Springs, and asked him about Warford and Kenley. He told me that they (Warford and Kenley) would be very valuable to them in the Idaho trials if they would go through, but that they could not get them pardoned, and wouldn't if they could, as they were dangerous men to have at large, especially Warford, as he had it in for several members of the Association, and if he were at liberty he might kill some of them sooner or later, and that they were not going to take any chances on him being at liberty for some time to come. Hamlin said also that if everything went well that they would not necessarily have to have them, as they had the evidence worked up so that they would get a conviction without them.

Feb. 3d. Talked with K. C. Sterling and Gus Arnold in Denver, and asked them how the Idaho matter was coming on. Arnold said, all right, we won't have any trouble of getting them this time, as we have spent a small fortune, and have men all over Idaho working on the people, and are working up a feeling out there that they will have a hard time to overcome. Sterling and I are down here working on some evidence. I asked him what they intended to do with us boys that went out there and lied for them, if we would be taken care of, and he said, you bet, if you fellows do as you are told and stick to your stories and don't let them tear you to pieces, you will be taken care of all right.

Sterling said, "Now, Rogers, don't forget what I told you about denying ever seeing me and Harry Orchard together, because

if they prove our real connection it is all off with us, as you know what they were."

Feb. 6.

Talked with A. E. Carlton in his bank at Cripple Creek. He said: "How are all the boys that we are going to take to Idaho; are they all right, or are some of them liable to go back on us when we get there, as I understand some of them are getting sore and don't think they are being treated fairly? Now, Rogers, you tell all of them that if they do as they are told they will have no cause to regret it, but we are afraid that some of them will go back on us when they go on the stand, and if they do they will be sorry for it, as we will land them in the pen, where Warford is, and they will get the same dose he got, if they don't do as they are told; as you know that if Jim Warford hadn't got smart and shot off his mouth too much, as we are into this think too far to let any of these fellows get to telling things that they know should not be told, as they are just as liable for things that have been done, as we are, and if it comes to a show down, they are the ones that will suffer, not us, and we will protect them as long as they act on the square, but if any of them get to talking too much, they will be taken care of in a way that they don't expect, as we are not going to have a lot of fellows running around loose who talk too much. Now you take my advice, and warn all of them to keep quiet and not say anything until the time comes, and then do as they are told, and they will be treated all right."

Feb. 7.

E. J. Boughton sent for me to come up to his office in Victor. When I went, he said: "How many of the boys that were on the inside and knew things as they really were here,

143.

have gone to Nevada, and do you know where any of them are out there, or do you ever hear from any of them?" I asked what was the matter, and he said that "they were afraid that some of them were liable to get out there and tell things that they had no business to tell, and that if they did it would be useless to use some of the evidence they had, and they had men out there now trying to find any of them that were there and post them." Boughton also said that the cases had been put off so long that they were afraid that their men would get scattered or get a change of heart, and not do as they were wanted to, but since he (Boughton) had been working for the Association he had got some new evidence and more men, who, for a small consideration, would do or swear to anything they were told; so if any of the old men fell down or failed to appear, they would have plenty more men to do the work

Feb. 8.

I visited Gus Arnold at the Mine Owners' office in Cripple Creek, engaged him in conversation about the safe that caught on fire. Gus said that he could not open it, as he did not know the combination, as it was not the safe that the records of the office were kept in, but one that contained some evidence to be used in the Moyer, Haywood trials, and that they would have to send for Floyd Thompson, as he was the only one that knew the combination. I asked if Floyd would come back, as I had heard that he was some eighteen hundred dollars short in his accounts when he left, and that the Association did not know where he was. Arnold said, "Well, I guess Floyd was short all right, but we can't push him, as he is going to testify for us in Idaho, and besides he knows too much about the workings of the organization to be prosecuted by them, and they have got to keep quiet; even if the amount had been several thousand dollars they could not afford to fall out with him."

Archives

University of Colorado
at Boulder Libraries

144.

Feb. 9.

I went to Arnold's office again, and got to talking about the safe and contents. I said, "Gus, was all the evidence you had in that safe?" He said, "Well, I guess you know about what there was in it. There were the photographs that were marked of men to be killed by the Federation, and some notations that were made on the back of them by people that we can't get hold of to fix up any more, and several bundles of written evidence that we cannot reproduce, as they were official letters and such things that were got from the different Union halls during the strike, and changed to suit certain things that were to be used. Also the Pettibone dope, you know all about that, don't you?" I said I had heard who had made it. Arnold said, "Well, that was the stuff that caused the trouble when we moved here. It must have got turned over and spilled, as it had probably eaten everything up that was in the safe. Of course, we can't tell until it is opened, just what the damage is, but we know that it has lost us evidence that it will take thousands of dollars to replace, even if we can get it at all, as some of it can never be replaced."

Feb. 14.

I had been in Grand Junction three days hunting for Frank Wilson, and finally found him. We had several drinks, and finally I said, "Frank, was there any truth to the story that you were warned to move from near the Independence depot?" He said, "Yes, and I wish I had taken the advice and got away from there." I said, "Who was it told you to move?" He said, "I was told by James Murphy, A. E. Carlton and Firm Killum, I think it was. I think it was Killum who first said 'Frank, why don't you move up on the hill above the mine, as it is a much nicer place to live, and that train at 2:20 won't wake you up every night?'" Wilson said, "I told him I owned the house

145

and was very nicely fixed there and did not like to move." This was long about the first of June, and a few days afterward A. E. Carlton met him on the R. R. track below the mine and said "Wilson, which one of these is your house?" Frank said, "I pointed it out to him, and he said, 'I will buy it if you will move up on the hill above the mine.'" Wilson asked: "What will you give me for it?" Carlton said, "You see Murphy and he will give you more than it is worth, and fix you up one of the company houses on the hill." A day or two after that Jim Murphy met Wilson and said, "I will fix you a house on the hill larger and better than yours, and we will give you \$100 for your house." Wilson said he would talk to his wife about it, and Murphy said, "Well, hurry up, as the old man (meaning Carlton) is liable to change his mind, and you will get more than your house is worth and a better place to live in besides." Murphy spoke to him about it once or twice more, but he did not move. On the morning after the explosion Wilson saw Murphy and said, "Jim, was this the reason you wanted me to move," and Murphy said, "Yes, but some one has made a terrible mistake, as we never intended anything like this should have been done." Just before Wilson left the Cripple Creek district Carlton sent for him to come to the bank, and asked him never to mention them having asked him to move, and if he ever came back he could always have work on the Findley, and if he ever needed any money or other assistance to just call on him (Carlton).

Feb. 16. Stopped in Colorado Springs and saw C. C. Hamlin, ex-secretary of the Mine Owners' Association. Got to talking about the Moyer-Haywood case, and asked if they expected to get a conviction, and he said, "Well, if the state of Idaho and the mine owners of Colorado have money enough, we will get rid of

Archives

University of Colorado
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that damned gang, and once we get the leaders convicted, we will have no trouble of breaking up the organization of the W. F. M." I said, "Ain't you afraid if you convict them on some of the testimony you have got that the workingmen of this country will rise up in arms and make trouble?" He said "Let them rise up; the government will take care of them." He then told me not to get scared; that the whole country was with them in trying to get rid of some men that were a disgrace to any civilized and self-respecting country.

Feb. 19. I called on Gus Arnold, and asked if there was anything new about the safe, and when they were going to open it. He said, "Well, I don't think we will open it very soon, as we have been told by the men who fixed the chemicals that if the air strikes it there will be an explosion, so I guess we will leave it closed."

Feb. 23. I met John Bauer, who leased on Vindicator No. 7 at the time of the explosion when Beck and Mc Cormick were killed. I asked him if it were possible for any one to get in through his workings to the main shaft where the explosion occurred, as it was said at the time that whoever did that work went in through the Bauer lease. John said it was absolutely impossible for any one to get in to the main shaft, as it was all bulkheaded up, and he was told that the machine that killed them was put there by themselves, as no one else went down on that level, and no one could get in the mine except through the main shaft where they were blown up.

Feb. 27. I went to Collibran, Colo., to see Paul Gilhorn, who was the night blacksmith on the Findley mine at the time of the explosion on June 6th, 1904. I knew Gilhorn very well, as I worked with him when he first came to the mine. I got to

147.

talking about the explosion, and asked him if he thought the Federation was responsible for it, and he said, "No, I do not," I asked why, and he said, "Well for several reasons." One was that things looked suspicious to him about so many of the regular men being off that night. I said, "Well, that could easily have happened without them knowing anything about it." He said, "Well, I for one don't think they (the Federation) as bad as I dislike them, had anything to do with it." I said, "Did Jim Murphy say to you not to come to work that night," and he said, "Yes, and that is the principal reason I don't think that the Federation had anything to do with it." I said, "Did Jim Murphy tell you at that time why he did not want you to work that night?" and he said, "No, but that I would find out later." Now Jim knew that in the shop we were among the first men to get to the depot, as we did not wait for the men to come up, but left a few minutes early. Gilhorn and Murphy were old friends in Arizona long before they went to Cripple Creek, and Gilhorn says that he had done Murphy several good turns before Jim made a stake, and that he did not want to see him get hurt. I asked how Murphy told him not to come to work that night, and he said, "He just said, 'Paul, you had better not come out tonight, just take a rest.'" He asked why, and Jim said "You will find out soon enough." The night engineer was told not to come to work that night too. He was another old friend of Murphy's.

148.
Feb. 28.

I saw Gilhorn again and asked if he would go on the stand and testify in behalf of Moyer and Haywood. He said if they were being tried for complicity in the Independence depot explosion he would tell what he knew, but would not help them now, as he believed they were guilty this time, but thinks

that the Independence depot was blown up by agents of the mine owners, but he said if the Federation was blamed and being tried for it, he would not want to see them punished for something they did not do, but that he was satisfied that they were at the bottom of other murders and that they ought to be punished.

Mch. 6.

I rode up on the train from Denver to Cripple Creek with E. J. Boughton, and asked him how things were coming in regards to the Idaho trials. He said, they were just waiting to see how the Steve Adams trial came out, and that if he could be convicted that it would help them in the other trials, but if he were acquitted it would be harder to convict the rest of them. The only thing we fear is that it will be hard to get twelve men to all think alike, no matter what the evidence is, as the Federation has men out there working on the sympathy of the people, and we are afraid some of them will get on the jury. We have the evidence that surely ought to convict them, and we have spent money enough, but are getting scared of some of our witnesses, as they are liable to get scared and tell the truth, instead of what we want them to tell, but we will have a good man to handle them, and plenty of money on hand, so they will perhaps come through all right. One thing that is going to make me some extra work is the fact that all of the affidavits that Crump got are in that safe in the office in the Creek, and we are afraid to open it, and if we did, it is almost certain that everything in it is destroyed, and I have got to get around and see all of these men and get them to sign some more, as there is some of them that may not be put on the stand at all, but we will use their affidavits instead.

The following are questions asked me the next day:

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150
Mch. 7.

What kind of men are those fellows you got in Cheyenne? Can they be depended on? I have got to go up and see them in the next few weeks and get their affidavits, so if we don't think that they can be trusted we will be prepared. What is the talk around Independence about Al. Bemore carrying the powder from the Vindicator on the afternoon of June 5th and who was it that saw him? I said I did not know who, if any one, saw him. Boughton then said: Do you think they could possibly have any witnesses who really saw him carrying that powder? He is one man I don't think it is safe to put on the stand, as he is liable to go to pieces at any time.

Mch. 10.

I went over to Independence and saw several of the men that were working on the Findley and Shurtloff mines at the time of the explosion on June 6th, 1904. Among them was one Charlie Crooks, who was a handy man around the office. I asked him if he had heard anyone around the mine at that time say anything about not working on the night of June 5th. He said, well, you know that there were very few of the old men that were on shift that night; the engineer, boss blacksmith, the shift boss and several of the old machine men were not out. The regular engineer, whose name was Burt Silvers, the boss blacksmith, Paul Gilhorn, and the night shift boss was a brother of Finn Kellum, the day foreman. All three of the men who worked in these men's places on that night were killed. I asked Crooks if he remembered seeing Carlton, Murphy, Kellum, Vanneck, Warford, Chipman and Walter Kenley at the mine the afternoon before the explosion, and he said, yes, and there was a man whom I always will think was Harry Orchard, came down the hill and into the office from the back door. They were

there for perhaps one hour, and Carlton came out and asked where Rogers was and if he ever was around the mine any more. Murphy said, yes, he is here at nights and sleeps most of the day. When the meeting broke up Kenley, Warford, Vanneck, Chipman and the stranger went out the back way and up the hill toward Altman. Carlton, Murphy and Kellum went down below the oil house and walked up the track past the depot, and came back and asked Crooks if Rogers had been there since they left. He said no. Then he, Carlton, went to the 'phone and told me to come up, which I did. The conversation between Carlton and myself is in the other part of my statement. I saw Wm. Searle, a miner, who was working on the Vindicator at that time. He lived just below the track 100 yards from the depot. I asked him if he had seen anyone around the depot a day or two before the explosion. He said, well, no, that is no strangers, but that he had seen several of the association men up and down the track just a few days before; also, had seen the same ones around the Vindicator on several occasions; had seen them just a few nights before with Al. Bemore. Searle was working nights at the time and met them just outside the mine fence as he was going home.

Mch. 15.

Saw A. F. Holman and asked him what he thought of Adams acquittal. He said, well, that lessens our chance of convicting the others, as we were sure of a case against Adams, but we did not use the same evidence against him that will be used against Moyer and Haywood, as he is one of the small fish and we don't care much about it, as we want to get at the leaders. I said, what will become of Adams now? He said we will get him back to the pen. and he will wish he had been convicted before we get through with him. I asked what would be done with him, and he said, well, he will be put through the

Archives

University of Colorado
at Boulder Libraries

151

third degree, and will be forced to make some statements that will be of some use to the prosecution. I tried to find out just what they expected to get, but Holman said he did not pay much attention to that end of it, as they had some of the best men in the country handling it, and all we do is put up our share of the money and trust to our attorneys to do the rest.

152
Mch. 17.

Went down to Colorado Springs and saw a man by the name of John Linderwood, who is working for the Mc Neill Penrose people. He was in the district during the strike, and was also a detective at Colorado City during that strike. He was in Colorado Springs prior to June 6th, and he told me that the crowd in the Springs knew all about it before it came off, and just a few days before himself and several more of the detectives around the mill were told to be in readiness to go to Cripple Creek in a few days, as there was going to be more trouble up there and the militia would be called out again. I asked him who told him this, and he said, our foreman called four or five of us in the office about the 1st or 2nd of June, and we waited in the outer office for a few minutes. The foreman was in the private office with Mc Neill, Hamlin and several mining men from Cripple Creek. I asked if Carlton was there, and he said, yes, him, Nelson Franklin, Wm. Bainbridge and several others whom he did not know. When the foreman came out he told them that there would be more trouble at the Creek and they would be sent up there in a few days. Linderwood said, why I thought things were all running smoothly up there now. The foreman said, yes, they are running too smoothly; the Federation is still there and are getting our men to join them every day, and something is going to be done to run every one of them out of there, because if we let them stay it is only a question of time until they will get the men we have

brought in to quit work and go out with them, and the Association is not going to stand for them any longer.

153
Mch. 18.

I saw Linderwood again and asked him when the men from Colorado Springs went up. He said, we left on the morning train the 5th of June, and took about two dozen sawed off shot guns with them. I remember when they came in and took the guns to headquarters, and they were distributed around on the afternoon of the riot. I had one of them myself. These men took part in the Victor riot, and stayed in the district until after all of the deportations.

Mch. 19

I went up to the district on the train with C. C. Hamlin and E. J. Boughton, and I asked why they did not give me any more work to do. They said they would see that I got something before long. Hamlin said, Carlton spoke to me sometime ago about letting you pick up some of the Federation men in Denver when we want them. Boughton said, Gus Arnold has the list, and is waiting for some word from Idaho as to just what is wanted, as you know we have nearly everything we want now, and all that remains is for the men to carry out their part of the work as they have been instructed. I asked if they were not going to get some new evidence in regard to what was burnt up in the safe. Hamlin said that Crump had a copy of all of that. I told Hamlin that I had not been taken care of in the way of money for a long time. He said, well, you understand that Carlton was to look out for you, but if he hadn't taken any better care of me than he did the Association in the way of his assessments, I must have fared pretty bad, as he was about the only one who kicked on putting up his share of the money, and that it was as much to his interest

to see the Federation stamped out, as anyone else, and they had the leaders now where they could get at them, and they and their whole damn crowd would be broken up no matter whether Carlton put up any more or not, and for me to go ahead, and he, Hamlin, would see that I got what was agreed to be paid me. I asked what was the plan in regard to the rest of the men they were going to get, and who all they were? He said that as far as he knew they were going to pick up the executive board for the year 1903 and this year and all of the officers. Some of them would be kept out of the way to prevent them from attending the trials, and some would be arrested. I said, well now, don't forget to let me have a hand in it when the time came. He said he would, as they were going to have the same ones that they had in the district except Warford and Kenley. He laughed and said that they were both good men, but that they couldn't be handled. I asked Hamlin if it were true that they were going to get them pardoned. He said, we are trying to make them think so until after these trials, but don't know if we can keep them quiet that long or not, as they are getting restless and want to get out, but you know that they are dangerous men to have around; they are all right as long as you can control them, but Warford and Kenley are desperate men, and if they were to be liberated now there is no telling what they would do, as they think we did not do much for them when they were in trouble, which is the truth, as we were well satisfied to have them out of the way where we wouldn't have to take care of them any longer, as they are in possession of some things that we don't care to have other people know. Hamlin also said, if we had it to do over again we would be more careful who we took into our confidences, as some of these fellows cannot keep their mouth shut, and after

154.

these matters in Idaho are settled we are going to get rid of a whole lot of them. I asked how they were going to do it, and he said, we will give some of them their instructions up there after the trials, and if they come back they will be sent the same route as Warford and Kenley.

155
Mch. 20.

I talked with Philip De Wild, who was a member of the Citizens' Alliance in Cripple Creek during the strike, and I asked him if he knew whether or not Harry Orchard was ever in the employ of the Alliance, and he said, yes, he was, and that the papers and records of the Alliance have been gone over by S. P. Parsons, Ed. Bell, Floy Thompson and Sam Crump, and a whole lot of their records were burned. He said at the time of the train-wrecking cases that Scott Sterling and others were all employed to do that work, and that the plan was hatched up in the Citizens' Alliance headquarters. He did not know whether Orchard was employed by them then or not, but later he was, and that since his arrest in Idaho all records and letters of his with the Alliance had been destroyed.

John Richmond, a druggist, in the employ of W. S. Shockey during the strike, told me the same thing as De Wild, and that he knew that the records had been destroyed. Richmond also said that if the records of that Alliance could be produced they would show that they were hand in hand with the Mine Owners' Association in all of the dirty work done in the district at that time. John Richmond, Box 1029, Goldfield, Nev.

Mch. 23.

I went over to the El Paso mine to see Frank Vanneck, and asked him what had become of Thomas Scanlon and John Chipman. These were two of the Association's men who were in all of the dirty work that went on in the district. Vanneck

said that Scanlon was working under Sem Crump in Nevada, securing evidence to be used at the trials of Moyer and Haywood, as they had quite a few men out there that had been sent from Colorado, waiting to go to Idaho. Vanneck said he thought Chipman was in Leadville, but was not sure, but that the last he knew of him he was up there. I asked why Scanlon had been sent to Nevada. He said, well, Tom got sore on the way he was being treated, and threatened to tell all he knew, and also to do some shooting, until he scared some of them up, and he was given some money and sent out to Crump to keep him from telling what he knew here in Colorado. You bet he was the wise one; he knew just who to work on. I said, tell me, so I can do the same thing. Vanneck said, well it wasn't Carlton, so you couldn't do any good. Vanneck asked me what was the matter with me that I wasn't around the mine the day before the explosion, as Carlton asked for me and if I had been there I would have heard something that would have given me the chance to have held the whip hand over the old man for all time to come. I said, yes, I know you fellows were all there, but as I had to be up all night I could not very well be there all day too, and I got roasted plenty as it was for not being around. I said, Frank, wasn't Orchard there that day? He said, why don't you know who all was there? I said, yes, he was, and so was Al Bemore. I said how did Bemore get in, as I knew everybody that was there and had not heard of his being there. He said, you know Bemore was working in the ore house, and he was brought in and was there yet when we left.

Mch. 24.

I saw Al Bemore at his house, and said, Al, what did Carlton say because I wasn't at the mine on the day you and Vanneck, Murphy, Carlton, Kellum and Orchard and others held

156

the conference in the office. He said, how did you know I was there? I said, well now, Al, I know you were and all about the meeting, so you can't fool me. Bemore said Carlton asked Murphy if I ever was around the mine any more and what I was doing to earn my money. I then asked him if it was him that got the powder for that explosion. He said, Now look here, Rogers, you know I can't talk to you about this. I said, why? He said, because I have been told not to talk to anyone about it. I said, well, I am as badly into this thing as you are, and can't see why you can't talk to me about it. He said, well, I can't, and that is all I could get out of him then.

Mon. 26. Went to Leadville to see John Chipman, but he was not to be found.

Mon. 28. Came to Denver.

Mon. 30. I took the evening train and went down to Pueblo to see John Chipman, as I had heard in Denver that he was working at the steel works. I found him at his room in Bessemer and took him out, and we had a drink, and then walked around and talked. I said, John, you were lucky you didn't get the same dose Warford and Kenley got. He said, yes, if I had not been pretty smooth they would have got me too, and I sometimes think they intended to railroad me too, but they have treated me pretty well lately. Hamlin got me this job, and when I go to Idaho I am to get \$500, and then to hell with any more dealings with this crowd; I will be forever done with them. I said, John, ^{how} was it that you were not with Warford when he killed Miller and Liebo, as he and Warford were partners and

were always together. Chipman said, well, the night before election Bill Gleason and Ed Bell and A. T. Holman came over to their cabin in Independence, and Bell said, now tomorrow we want you fellows to go to Goldfield and keep an eye on Chris Miller and Ike Liebo, as they are to be appointed election constables, and if you can stir up some trouble with them and get a chance to kill them, why do so, as they are bad men and we want to get rid of them. Warford said, will you guarantee us protection if we do the job. Bell and Holman said yes, you will be taken care of, and will be cleared all right, but be sure and get them. After they left we planned just how we would do the job, and cleaned our guns and got them ready. In the morning on election day Gleason came to the cabin and said that Bell had made different arrangements and that Warford was to go to Goldfield, while Chipman was to stay in Independence, as they were expecting something to come up there, and they wanted some good gun men on the hill. Gleason also said that Warford was to meet Tom Brown in Goldfield, and the two were to hunt up Miller and Liebo and kill them, which they did. Chipman said Warford told him that night that he had wished he, Chipman, had been with him, as he was a little afraid of Brown, and did not know whether he would shoot or not. I said, did Warford say that he shot them both, or did Brown get one of them? He said, well, Jim told me that he shot them both himself, but that Brown also shot, but was a little slow, and he, Warford, was not going to take any chances on getting shot himself. I said, John, did Warford say whether they gave him an occasion to shoot them, or did he just shoot them without any words. Chipman says, Warford told him that himself and Brown seen the two of them in front of the polling place and fixed it up to go up to them and say,

"You fellows will have to get 100 feet from this polling place," and then shoot them, which they did. Chipman said Warford said that evening well, John, that was the coldest blooded affair I ever want to have anything to do with, as we gave them no show whatever. I asked Chipman why Warford, Kenley and himself lived in that cabin way out by the Vindicator by themselves, and why they moved from Victor up there. He said they were told to move up there by Holman and Trevarrow as they wanted them off some where so they would not be observed when they came to their cabin. Chipman said that Carlton, Ed. Bell, Nelson Franklin, Harry Moore, Floyd Thompson and nearly all of the mine owners had paid nightly visits to their cabin, as it was handy to the electric cars and several hundred yards from any other houses. I have been there several nights myself, as it was headquarters for the gun men on Bull Hill. When we used to meet the trains to look for deportees we always met there. It was the night meeting place for Guyton, Kid Waters, Vanneck, Scanlon and myself.

Mch. 31. Came back to Denver, and went to Cripple Creek Monday night, April 1st.

Apr. 2. I went over to Independence and saw Al. Bemore. Got to talking to him, and said, Al, how much powder was used on the Independence depot? He said, Now, Rogers, you know just as much about that as I do, so why do you ask me. I said, no, I was not at the meeting, and you know it, but I do know that you got the powder. He said, well, what do you want to know for? I said, well, I was just curious, that is all. He said, well, I can't tell you anything about it now, but will some day. I said, well then it is the truth then that you got it, and he

said yes, and you were to produce the battery that you had, but when they wanted it they couldn't find you nor the battery either. I said, Bemore, what are they going to do with you- are you going to Idaho or not? He said, I don't know; sometimes they say I am, and sometimes that I am not. I said, how much are you getting now? He said, well they pay all of my expenses, and I don't want for anything.

Apr. 4.

I met Cyrus Burns, who was the compressor man on the Findley on June 5th and 6th. He was on his way to the train going to Nevada. I came down to Denver with him in order to talk to him on the train. I asked him if he heard Murphy or Kellum tell any of the boys not to come to work on the night of June 5th. He said he heard him tell Silvers, the engineer, not to come out, as he (Murphy) had a new man he wanted to try. This was Henry Haag, who was killed. I said, Burns, don't you think it was a funny deal why so many of the old men were off that night? He said, yes, he was satisfied that the bosses on the mine knew something was coming off. This man, I am satisfied, we can get to testify to what he knows. He will write me and give me his address when he gets located in Nevada.

Apr. 6.

Met E. J. Boughton in Denver, and he said he had just got back from Cheyenne, and that there might be a new story fixed up about money deal, and he would let me know as soon as he heard from Crump.

Jan 29

Saw James Warford & Walter Kenley at Canon City Colo. Warford told me that he had been visited several times by C. E. Hamlin, and Gus Arnold and E. J. Boughton and they told him that if him and Kenley were willing to go to Idaho and testify for the prosecution at the trials of Moyer, Haywood & Pettibone they would be pardoned and would not have to return to Colorado, at one time E. J. Boughton prepared a statement for them to sign but they would not do so until they were assured of their liberty.

Kenley said he didn't know whether he could stand the examination by Richardson or not as he would probably make it hot for him as he "Richardson" knew so much about Kenley's past record that he would confuse him and make him admit some things he did not want to.

Jan 30

I visited Warford & Kenley again and Warford said Rogers do you really think that these people are in earnest about this business with me or not or do you think that they just want me to help them out and then let me stay here. I told him that I did not know but that I would try and find out. Warford then said well if they put up a job on me this time they will be sorry for it as I shall tell some things that they will have a hard time of getting out of.

as you know they have not treated me right or I would
not be here now; - Warford said you know
as well as I do that when Ed Bell sent me to
Goldfield to do the job on election day that I
was supposed to be taken care of in case I
killed those fellows and if I had known
that they would go back on me I would
not have killed them, as Belh Holman
Gleason, Carlton, & Bainbridge all said that
if I killed one or both of them that
they would see that I got out of it
all right, but you know how they
all went back on me when I had
the racket with Bell.

Warford & Kenley both asked me to
be sure and try and find out just
what they intended doing about their pardon
and if they were not sincere in their promise
they would not go to Idaho.

Feb 1st

I saw Clarence Stanlin in Colorado Springs
and asked him about Warford & Kenley.
He told me that they (Warford & Kenley) would
be very valuable to them in the Idaho
trials if they would go through but that
they could not get them pardoned and
wouldnt if they could as they were dan-
gerous - me to have at large, especially
Warford as he had it in for several
members of the association and if
he were at liberty he might kill
some of them sooner or later

and that they were not going to take any chances on him being at liberty for some time to come. Hamlin said also that if every thing went well that they would not necessarily have to hang them as they had the evidences worked up so that they would get a conviction without them.

Feb 3rd

Talked with K.C. Sterling & Gus Arnold in Denver and asked them how the Idaho matter was coming on. Arnold said all right - we won't have any trouble of getting them this time as we have spent a small fortune and have men all over Idaho working on the people and are working up a feeling out there that they will have a hard time to overcome. Sterling & I are down here working on some evidence. I asked him what they intended to do with us boys that went out there and lied for them if we would be taken care of and he said you bet if your fellows do as you are told and stick to your stories and don't let them tear you to pieces you will be taken care of all right.

Sterling said Now Rogus don't forget what I told you about denysing ever seeing me & Harry Orchard together because if they prove our real connection it is all off with us, as you know what they were,

Feb 6

Talked with A. E. Barton in his bank at Lumpy
Creek he said How are all the boys that we are
going to take to Idaho are they all right or are
some of them liable to go back on us when
we get there as I understand some of them
are getting sore and dont think they are being
treated fairly now Rogers you tell all of
them that if they do as they are told they
will have no cause to regret it but we are
afraid that some of them will go back on
us when they go on the stand and if they
do they will be sorry for it as we will
land them in the pen where Warford
is and they will get the same dose he got
if they dont do as they are told as you
know that if Jim Warford hadnt got
smart and shot off his mouth too much
as we are into this thing to far to let any of
these fellows get to telling things that they know
should not be told as they are just as liable
for things that has been done as we are and if
it comes to a showdown they are the ones
that will suffer not us and we will pro-
tect them as long as they act on the square
but if any of them get to talking too much
they will be taken care of in a way that
they dont expect as we are not going to
have a lot of fellows running around
loose who talk too much. Now you
take my advice and warn all of them to
keep quiet and not say any thing until

Feb 7

The trial comes and then do as they
are told and they will be treated all right
E J Boughton sent for me to come up
to his office in Sator, when I went
he said how many of the boys that
were on the inside and knew things
as they really were here have gone
to Nevada and do you know where
any of them are out there or do you
ever hear from any of them, I asked
what was the matter and he said
that they were afraid that some of
them were liable to get out there and
tell things that they had no business
to tell and that if they did it would
be useless to use some of the evi-
dence they had and they had men
out there now trying to find any of
them that were there and put them
Boughton also said that the cases had
been put off so long that they were
afraid that their men would get
scattered or get a change of heart and
not do as they were wanted to but since
he (Boughton) had been working for
the association he had got some new
evidence and most men who
for a small consideration would
do or swear to anything they were
told, so if any of the old men fell
down or failed to appear they would
have plenty more men to do the work.

Feb 8

I visited Gus Arnold at the Mine Owners office in Cripple Creek engaged him in conversation about the safe that caught on fire, Gus said that he could not open it as he did not know the combination as it was not the safe that the records of the office were kept in but one that contained some evidence to be used in the Moyer Haywood trials and that they would have to send for Floyd Thompson as he was the only one that knew the combination. I asked if Floyd would come back as I had heard that he was some eighteen hundred dollars short in his accounts when he left and that the association did not know where he was.

Arnold said well I guess Floyd was short all right but we cant push him as he is going to testify for us in Idaho and besides he knows too much about the workings of the organization to be prosecuted by them and they have got to keep quiet even if the amount had been several thousand dollars they could not afford to fall out with him.

Feb 9

I went to Arnolds office again and got to talking about the safe & contents, I said Gus was all

The evidence you had in that safe he said well I guess you know about what was in it there were the photographs that were marked of men to be killed by the federation, and some notations that were made on the back of them by people that we can't get hold of to fix up any more and several bundles of written evidence that we can not reproduce as they were official letters or such things that were got from the different Union halls during the strike and changed to suit certain things that were to be used. Also the Pittibone Wagon you know all about that, don't you, I said I had heard who had made it, Arnold said well that was the stuff that caused the trouble, when we moved here it must have got turned over & spilled as it had probably eaten every thing up that was in the safe, of course we can't tell until it is opened just what the damage is but we know that it has lost us evidence that it will take thousands of dollars to replace even if we can get it at all as

Feb 14

some of it can never be repeated
I had been in Grand Junction 3
days hunting for Frank Wilson
and finally found him, we had
several drinks and finally I said
Frank was this my truth to
the story that you were warned
to move from near the Independence
depot, he said yes and I wish
I had taken the advice and got
away from there, I said who
was it told you to move, he
said I was told by James Murphy
A.E. Carlton and Jim Killum, I think
it was Killum who first said
Frank why dont you move up
on the hill above the mine as
it is a much nicer place
to live and that train at 2:30
wont wake you up every
night, Wilson said I told him
I owned the house and was
very nicely fixed there and
did not like to move, this was
long about the first of June
and a few days afterward
A.E. Carlton met him on the RR
track below the mine and said
Wilson which one of these is
your house, Frank said I
pointed it out to him and
he said I will buy it if you

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well went up on the hill
about the mine, Wilson asked
what will you give me for
it Carlton said you sell Murphy
and he will give you more than
it is worth and fix you up
one of the Company houses on
the hill, a day or two after that Jim
Murphy met Wilson and said I
will fix you a house on the hill
larger & better than yours and
will give you \$100 for your house
Wilson said he would talk to his wife
about it and Murphy said well hang
up as the old man, "meaning Carlton"
is liable to change his mind
and you will get more than your
house is worth and a better place
to live in besides, Murphy spoke
to him about it once or twice
more but he did not move, on
the morning after the explosion
Wilson saw Murphy and said
Jim was this the reason you
wanted me to move & Murphy
said yes but some one has
made a terrible mistake
as we never intended any
thing like this should have
been done, just before Wilson
left the Cripple Creek District
Carlton sent for him to come.

Feb 16

To the bank and asked him never
to mention them having asked
him to move and if he ever
came back he could always have
work on the Hindley and if he ever
needed any money or other assistance
to just call on him (Carlton),
Stopped in Colorado Springs and saw C. C. Hamilton
ex secretary of the Mine owners association got
to talking about the Moyer Haywood Case
and asked if they expected to get a Con-
viction and he said well if the state
of Idaho & the Mine owners of Colo
have money enough we will get
rid of that damn gang and once
we get the leaders convicted we will
have no trouble of breaking up
the organization of the W. F. M.
I said about you afraid if you
convict them on some of the testimony
you have got that the workingmen
of this country will raise up
in arms and make trouble
he said let them raise up
the Government will take care
of them, he then told me not
to get scared that the whole
country was with them in try-
ing to get rid of some men
that were a disgrace to any
civilized and self respecting
country

Feb 19 I called on Gus Arnold and asked if there was any thing new about the shaft and when they were going to open it he said well I dont think we will open it very soon as we have been told by the men who fixed the chemicals that if the air strikes it there will be an explosion so I guess we will leave it closed.

Feb 23 I met John Bauer who leased on Vindicator No 7 at the time of the explosion when Beck & McComie were killed, I asked him if it was possible for any one to get in through his workings to the main shaft where the explosion occurred as it was said at the time that who ever done that work went in through the Bow Lease. John said it was absolutely impossible for any one to get in to the main shaft as it was all bulkheaded up and he was told that the machine that killed them was put there by them selves, as no one else went down on that level and no one could get in the mine except through the main shaft where they were blown up.

Feb 27

I went to Collbran Colo To see Paul Gilhorn who was the night blacksmith on the Findley Mine at the time of the explosion on June 6-1904, I knew Gilhorn very well as I worked with him when he first came to the mine. I got to talking about the explosion and asked him if he thought the Federation was responsible for it and he said no I do not, I asked why and heard well for several reasons one was that things looked suspicious to him about so many of the regular men being off that night, I said well that could have easily have happened without them knowing any thing about it he said well I for one dont think they (the Federation) as bad as I dislike them had any thing to do with it, I said did Jim Murphy say to you not to come to work that night and he said yes and that is the principal reason I dont think that the Federation had any thing to do with it I said did Jim Murphy tell you at that time why he did not want you to work that night and he said no but that I would find out later - now Jim knew that in the shop we were among the first men to get to the depot as

we did not want for the men to come up but left a few minutes early, Gilhorn and Murphy were old friends in Arizona long before they went to Cripple and Gilhorn says that he had done Murphy several good turns before Jim made a stake and that he did not want to see him get hurt, I asked how Murphy told him not to come to work that night and he said he just said Paul you had better not come out to night just take a rest, He asked why and Jim said you will find out soon enough,

The night engineer was told not to come to work that night too. He was another old friend of Murphy's;

Feb 28

I saw Gilhorn again and asked if he would go on the stand and testify in behalf of Moyer & Haywood he said if they were being tried for complicity in the Independence Depot explosion he would tell what he knew but would not help them now as he believed they were guilty this time but thinks that the Independence Depot was blown up by agents of the mine owners but he said if the federation was blamed and

being tried for it he would not want to see them punished for something they did not do but that he was satisfied that they were at the bottom of other murders and that they ought to be punished.

March 6

I rode up on the train from Denver to Cripple Creek with E. J. Raughton and asked him how things were coming in regards to the Idaho trials, he said they were just waiting to see how the Steve Adams trial came out and that if he could be convicted that it would help them in the other trials but if he were acquitted it would be harder to convict the rest of them. The only thing we fear is that it will be hard to get 12 men to all think alike, no matter what the evidence is, as the Federation has been out there working on the sympathy of the people and we are afraid some of them will get on the jury we have the evidence that surely ought to convict them and we have spent money enough but are getting scared of some of our witnesses as they are liable to get scared and tell the truth instead of what we want them to tell but we will have a good man to handle them and plenty of money on hand so they

will perhaps come through all right, one thing that is going to make me some extra work is the fact that all of the affidavits that Crump got are in that safe in the office in the Creek and we are afraid to open it and if we did it is almost certain that every thing in it is destroyed, and I have got to get around and see all of these men and get them to sign some more as there is some of them that may not be put on the stand at all but we will use their affidavits instead. The following is question asked me the next day.

mch 7.

What kind of men are those fellows you got in Cheyenne Can. They bed-patched on, I have got to go up and see them in the next few weeks and get their affidavit so if we don't think that they can be trusted we will be prepared. What is the talk around Independence about Al Remond carrying the powder from the Smelter on the afternoon of June 5th and who was it that saw him, I said I did not know who if any one seen him, Boughton then said do you think they could possibly have any witnesses who really saw him carrying that powder, He is one man I don't think it is safe to put on the stand as he is liable to go to pieces at any trial

mech 10

I went over to Independence and saw several of the men that were working on the Hindley and Shurtloff mines at the time of the explosion on June 6th 1904, among them was one Charles Crookes who was a handy man around the office, I asked him if he had heard any out around the mine at that time say any thing about not working on the night of June 5th, he said well you know that there was very few of the old men that were on shift that night, the engineer, boss blacksmith, the shift boss, and several of the old machine men, were not out, the regular engineer whose name was Bert Silvers, the boss blacksmith Paul Gilhorn, and the night shift boss was a brother of Jim Kellum. The day foreman, all three of the men who worked in these men's places on that night were killed, I asked Crookes if he remembered seeing Carlton Murphy, Kellum, Samuels, Wayford, Chipman and Walter Kenley, at the mine the afternoon before the explosion and he said yes and there was a man whom Talboys will think was Harry Orchard came down the hill and into the office from the back door.

They were there for perhaps an hour and Carlton came out and asked where Rogers was and if he ever was around the mine any more. Murphy said yes he is here at nights and all the most of the day. When the meeting broke up Kenley, Warford, James Chipman and the stranger went out the back way and up the hill toward Altman, Carlton, Murphy & Kellum went down below the outhouses and walked up the track past the depot, and came back and asked Cooke if Rogers had been there since they left, he said no, then he Carlton went to the phone and told me to come up which I did, the conversation between Carlton & my self is in the other part of my statement, I saw Wm. Sealy a miner who was working on the Vindicator at that time, he lived just below the track about 100 yards from the depot, I asked him if he had seen anyone around the depot a day or two before the explosion, he said well no that is no strangers but that he had seen several of the association men up and down the track just a few days before also had seen the same ones around the Vindicator on several occasions, had seen them just

a few nights before with Al. Reno, Clark was working nights at the time and met them just outside the mine fence as he was going home.

March 15,

Saw A. F. Holman and asked him what he thought of Adams' ^{accusations} he said well that lessens our chance of convicting the others as we were sure of a case against Adams but we did not see the same evidence against him that will be used against Moyes & Haywood, as he is out of the small fish and we don't care much about it as we want to get at the leaders, I said what will become of Adams now he said we will get him back to the pen and he will wish he had been convicted before we get through with him, I asked what would be done with him and he said well he will be put through the third degree and will be forced to make some statements that will be of some use to the prosecution, I tried to find out just what they expected to get but Holman said he did not pay much attention to that end of it as they had some of the best men in the country handling it and

all we do is put up our share of
The money and trust to our attorneys
To do the rest

mech 17

Went down to Colo Springs and saw a
man by the name of John Linderwood
who is working for the McNeill, Pearson
people. he was in the district during
The strike and was also a detective
at Colo City during that strike, he was
in Colo Springs at ^(Progr. Prog. 6 W) the ~~out~~ of the trouble
of June 6th and he told me that the
crowd in the springs knew all about
it before it came off and just a few
days before himself and several
more of the detectives around the mill
were told to be in readiness to go
to Cripple Creek in a few days as there
was going to be more trouble up
there and the Militia would be called
out again, I asked him who told
him this and he said our foreman
called 4 or 5 of us in the office about
the 1st or second of June and we
waited in the outer office for a
few minutes the foreman was
in the private office with McNeill
Hamlin and several mining men
from Cripple Creek I asked if Carlton
was there and he said yes him
Nelson Franklin Wm Bairbridge
and several others whom he
did not know, when the foreman

came out he told them that there would be more trouble at the creek and they would be sent up there in a few days, Linderwood said why I thought things were all running smoothly up there now, the foreman said yes they are running too smoothly, the federations is still there and are getting our men to join them every day and some thing is going to be done to run every one of them out of there because if we let them stay it is only a question of time until they will get the men we have brought in to quit work and go out with them, and the association is not going to stand for them any longer.

McCh 187 I saw Linderwood again and asked him when the men from Colo Springs went up, he said we left on the morning train the 6th of June and took about 2 dozen sawed off shot guns with them, I remember when they came in and took the guns to headquarters and they were distributed around on the afternoon of the riot, I had one of them myself. These men took part in the riot and stayed in the district until after all of the deportations

mch 19

I went up to the District on the train with C C Hamlin, D E Boughton and I asked why they did not give me any more work. To do they said they would all that I got something before long. Hamlin said Carlton spoke to me some time ago about letting you pick up some of the Federation men in Denver where we want them, Boughton said Gus Arnold has the list and is waiting for some word from Idaho as to just what is wanted as you know we have nearly every thing we want now and all that remains is for the men to carry out their part of the work as they have been instructed. I asked if they were not going to get some new evidence in regard to what was burnt up in the safe. Hamlin said that Crump had a copy of all of that. I told Hamlin that I had not been taken care of in the way of money for a long time he said well you understand that Carlton was to look out for you but if he hadent took any better care of me than he did the association in the way of his assistance I must have failed pretty bad

as he was about. The only one who
kicked, on putting up his share of the
money and that it was as much
to his interest to see the Federation
stamped out as any one else.
and they had the leaders now
where they could get at them and
they & their whole damn crowd
would be broken up no matter
whether Carlton put up any more
or not. and for me to go ahead
and be thankful would all that
I got what was agreed to be paid
me. I asked what was the plan
in regard to the rest of the men
they were going to get and who
all they were he said that as
far as he knew they were going
to pick up the Executive board for
the year 1908 and this year and
all of the officers, some of them
would be kept out of the way
to prevent them from attending
the trials and some would be
arrested, I said well now dont forget
to let me have a hand in it when
the time came. He said he would
as they were going to have those
ones that they had in the districts
except Warford & Kenley, he laughed
and said that they were both
good men but that they couldnt be handled

I asked Hamlin if it were true that they were going to get them pardoned he said we are trying to make them think so until after these trials but dont know if we can keep them quiet that long or not as they are getting restless and want to get out but you know that they are dangerous men to have around, they are all right as long as you can control them but Warford & Kenley are desperate men and if they were to be liberated now there is no telling what they would do as they think we did not do much for them when they were in trouble which is the truth as we were well satisfied to have them out of the way where we wouldnt have to take care of them any longer, as they are in possession of some things that we dont care to have other people know, Hamlin also said if we had it to do over again we would be more careful who we took into our confidences as some of these fellows can not keep their mouths shut, and after these matters in Idaho are settled we are going to get rid of a whole lot of them, I asked how they were going to do it and he said we will give some of them their instructions up there after the trials and if they come back they will be sent the same route as Warford & Kenley.

March 20

I talked with Philip DeWald who was a member of the Citizens Alliance in Cripple Creek during the strike and I asked him if he knew whether or not Harry Orchard was even in the employ of the Alliance and he said yes he was and that the papers & records of the Alliance have been gone over by JF Parsons, Ed Bell & J. Roy Thompson & Sam Crump and a whole lot of their records were burned. He said at the time of the train wrecking cases that Scott Sterling & others were all employed to do that work & that the plan was hatched up in the Citizens Alliance Headquarters, he did not know whether Orchard was employed by them then or not but later he was, and that since his arrest in Idaho all records & letters of his with the Alliance had been destroyed.

John Richmond a druggist in the employ of W. S. Shockey during the strike told me the same thing as DeWald and that he knew that the records had been destroyed. Richmond also said that if the records of that Alliance could be produced they would show that they were hand in hand with the mine owners association in all of the dirty work done in the district at that time.

John Richmond
Box 1029 Goldfield
Nev.

Mar 23

I went over to the El Paso Mine to see Frank Jarnick and asked him what had become of Thomas Scanlon & John Chipman, these were two of the associations men who were in all of the dirty work that went on in the district, Jarnick said that Scanlon was working under Sam Crump in Nevada, securing evidence to be used at the trials of Moyer & Haywood, as they had quite a few men out there that had been sent from Colorado, waiting to go to Idaho, Jarnick said he thought Chipman was in Leadville but was not sure but that the last he knew of him he was up there, I asked why Scanlon had been sent to Nevada he said well Tom got sore on the way he was being treated and threatened to tell all he knew and also to do some shooting until he scared some of them up and he was given some money and sent out to Crump to keep him from telling what he knew here in Colorado, you bet he was the wise one he knew just who to work on, I said tell me so I can do the same thing, Jarnick said well it wasn't Carlton, so you couldn't do any good, Jarnick asked me what was the matter with me that I wasn't around the mine the day before the explosion as Carlton asked for me and if I had been there I would have heard some

thing that would have given me the
chance to have held the whip hand
over the old man for all time to come
I said yes I know you fellows were all
there but as I had to be up all night I
could not very well be there all day too
and I got roasted plenty as it was for not
being around. I said Frank wasnt
around there that day - he said why
dont you know who all was there
I said yes he was & so was Al Bemore
I said how did Bemore get in as I
knew everybody that was there and
had not heard of his being there, he
said you know Bemore was work-
ing in the ore house and he was
brought in and was there yet
when we left,

mech 24
I saw Al Bemore at his house and
said Al what did Carlton say because
I wasnt at the mine on the day
you & Vanek, Murphy, Carlton,
Kellum & Orchard and others
held the conference in the office
he said how did you know I was
there, I said well now Al I know
you were and all about the
meeting so you cant fool
me, Bemore said Carlton asked
Murphy if I ever was around
the mine any more and what

I was doing to earn my money,
I then asked him if it was him
that got the powder for that explosion
he said Now look here Rogers you
know I cant talk to you about this
I said why, he said because I have
been told not to talk to any one about
it, I said well I am as badly into this
thing as you are and Cant see why
you cant talk to me about it he said
well I Cant and that is all I could get
out of him then.

mch 26 Went to Leadville to see John Chipman
but he was not to be found.

mch 28 Came to Denver.

11 30 I took the evening train and went
down to Pueblo to see John Chipman
as I had heard in Denver that he
was working at the steel works
I found him at his room in Bessemer
I took him out and we had a drink and
then walked around & talked, I said John
you were lucky you didnt get the same deal
Wayford & Kenley got, he said yes if I had
not been pretty smooth they would have
got me too and I some times think
they intended to railroad me too, but
they have treated me pretty well lately
Hamlin got me this job and when
I go to Idaho I am to get \$500 and then
to hell with any more dealings with

This crowd, I will be forever done with them
I said John how was it that you were not
with Warford when he killed Miller & Liebo
as he & Warford were partners and were always
together, Chipman said well the night before
election Bill Gleason & Ed Bell & A T Holman
came over to their cabin in Independence
and Bell said now tomorrow we want
you fellows to go to Goldfield and keep an
eye on Chris Miller & The Liebo as they are
to be appointed election constables and if you
can stir up some trouble with them
and get a chance to kill them why do
so as they are bad men and we want
to get rid of them, Warford said will you
guarantee us protection if we do the job
Bell & Holman said yes you will be taken
care of and will be cleared all right but be
sure and get them, after they left we
planned just how we would do the job
and cleaned our guns & got them ready
in the morning on election day Gleason
came to the cabin and said that Bell
had made different arrangements and
that Warford was to go to Goldfield while
Chipman was to stay in Independence
as they were expecting some thing to come
up there and they wanted some good gun
men on the hill, Gleason also said that
Warford was to meet Tom Brown in
Goldfield and the two were to hunt up

Miller & Liebo and kill them which they did, Chipman said Warford told him that night that he had wished he Chipman had been with him as he was a little afraid of Brown and did not know whether he would shoot or not, I said did Warford say that he shot them both or did Brown get one of them, he said well you told me that he shot them both himself but that Brown also shot but was a little slow and he (Warford) was not going to take any chances on getting shot himself, I said you did Warford say whether they gave him an occasion to shoot them or did he just shoot them without any words, Chipman says Warford told him that himself & Brown seen the 2 of them in front of the polling place & fixed it up to go up to them & say "you fellows will have to get 100 feet from this polling place" and then shoot them which they did, Chipman said Warford said that was a well known that was the coldest blooded affair I ever want to have

any thing to do with, as we gave
them no show whatever,
I asked Chipman why Warford
Kenley & himself lived in that cabin
way out by the Vindicator by themselves
and why they moved from Victor
up there, he said they were told
to move up there by Holman
& Frevarrow as they wanted them
off some where so they would
not be observed when they came
to their cabin, Chipman said
that Carlton, Ed Bell, Nelson Franklin
Harry Moore, Floyd Thompson and
nearly all of the mine owners
had paid nightly visits to
their cabins as it was handy
to the electric cars and served
hundred yards from any
other houses, I have been
there several nights myself
as it was headquarters for the
gun men on Bull Hill
When we used to meet the trains
to look for deportees we always
met there, it was the night
meeting place for Guyton, Kid
Waters, Jarneck, Scanlon, myself.
Came back to Denver & went to
Cripple Creek Monday night April 1st
Apr 2nd I went over to Independence

and saw Al Remond. got to talking
to him, and said Al how much
powder was used on the Independence
depot, he said Now Rogers you know
just as much about that as I
do so why do you ask me
I said no I was not at the meet-
ing and you know it but I do
know that you got the powder
he said well why do you want
to know for, I said well I was
just curious that is all, he said
well I cant tell you any thing
about it now but will some
day. I said well then it is the
truth then that you got it and
he said yes, and you were
to produce the battery that you
had but when they wanted it
they couldnt find you nor
the battery either, I said Remond
what are they going to do with
you are you going to Idaho or
not, he said I dont know some
times they say I am and some
times that I am not, I said
how much are you getting now
he said well they pay all of my
expenses & I dont want for
any thing.

I met Cyrus Burns who was

The compressor man on the Kindley
on June 5th & 6th he was on his
way to the train going to Nevada.
I came down to Denver with him
in order to talk to him on the train.
I asked him if he heard Murphy or
Kellum tell any of the boys not
to come to work on the night of
June 5th he said he heard him
tell Silvers the engineer not to
come out as he (Murphy) had
a new man he wanted to
try. This was Henry Haag who
was killed. I said Burns
don't you think it was a
funny deal why so many
of the old men were off that
afternoon night, he said yes he
was satisfied that the bosses
on the mine knew something
was coming off. This man
I am satisfied we can get
to testify to what he knows he
will write me and give me
his address when he gets located
in Nevada.

met E J Boughton in Denver and he
said he had just got back from
Cheyenne & that there might be a new
story fixed up about money deal and he would
let me know as soon as he heard from Crum

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Apr 6

On the 9th day of April, A. D. 1907, a man, calling himself Dick Reese, came to my office and stated to me voluntarily that he was one of the employes of the Mine Owners' Association in the Cripple Creek district in the summer of 1904. That on the evening of June 2nd, 1904, a meeting was held at military headquarters in Armory Hall in the city of Victor, at which the following men were present:

Kid Waters (now dead); Jim Warford (now in the penitentiary); Harry Guyton (now constable at Victor); Jack Bowman (heretofore killed); Tom Hogan alias Harry Orchard (now in the Idaho penitentiary); Tom Brown (now of Goldfield, ^(Nevada?) Colorado), and himself, representing the gun men of the Mine Owners' Association. There were also present 2 Pinkertons, whose names he does not know; Nelson Franklin; A. E. Carlton; Frank M. Reardon (now dead); _____ Holman, president of the Golden Cycle Company; Harry Moore, captain of a military company; H. A. Naylor and Tom Mc Clelland, but before the matter hereinafter stated took place Tom Mc Clelland went away.

In the course of that meeting Frank Reardon said there were \$500.00 in it for any five men who will turn the trick, and said that he would give Kid Waters the right to select the five men to do it. The thing which he wished done was to take either three or six boxes of powder (Reese said he had forgotten which), to the Independence depot, and explode it under the depot after the train was passed. It must be distinctly understood, he said, that there must be no one injured. He said that they wanted it exploded in order to gain sympathy for their side, and to break up the Western Federation. He says after that is done, this district is ours.

At that time the talk was that the thing was to be done on the night of June 3rd. The boys who were selected, however, to do the work, got so full in preparing for it, that they were unable to bring the matter off that night. The men whom Kid Waters picked were Harry Guyton, Jack Bowman (or Jim Warford, I don't know which of those two), Tom Hogan and Tom Brown. Reese said he was not selected because the other men were considered more experienced.

than he. He said that he was afterwards told by Kid Waters that there was a meeting on the night of the 4th, when they arranged the explosion to take place on the night of the 5th, or, rather, the early morning of the 6th, which would be the latter part of the night of the 5th.

This man impressed me that he was telling the truth, but, at the same time, he was so nervous that I became convinced that he was either a dope fiend or had been in such constant fear of his life that he had gotten to a point where he was scared of his own shadow. The slightest noise in the room would disturb him and throw him off his conversation, and I would have to tell him where he was after he had quieted down before he could resume the thread of his story. I am satisfied that he could not have made the story up, but I am equally satisfied that he could not tell that or any other story, either true or false, if put on the witness stand.

MEMORANDUM OF HOLDUPS COMMITTED IN DENVER
IN THE YEAR 1905.

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Two burglars looted the tailor shop of Harrison & Son at 327- 16th street, between 4:30 and 5:00 o'clock, Sunday morning (April 9th), securing goods valued at over \$500.00.

Shortly before midnight Saturday, May 7th, two men held up the drug store of L. E. Edwards, Colfax Ave. & York St., and took \$128.00 in cash, a gold watch and chain, and a diamond ring.

Two highwaymen held up Victor Johnson, an employe of the Denver Fire Clay & Pipe Works, shortly after 8:00 P. M., Saturday, May 20th, at the corner of 37th St. and Palmer Avenue. Secured \$15.00.

Johnson lives at 4337 Merrill St.

Early Saturday morning, May 20th, the following places were burglarized:

Geo. A. Barrows' lime and plate glass establishment, 1570 14th street.

Fred C. Voss' and R. E. Patis' offices, 1648 14th street.

Greenlee & Son's marble works, 1513 13th street.

Shortly before 10 P. M. two highwaymen held up the drug store of E. F. Setchel, 3100 Gilpin Street, and secured a little over

\$25.00. The above occurred on Wednesday night, May 24th.

Miss Maud Barnes, of the cigar stand in the Boston Building, was robbed of a purse containing \$10.00, Monday, June 19th.

Pocketbook snatched from Miss Katheryn Loftus, of 1852 Lincoln Avenue, Friday, November 17th, about 7:30 P. M., on Glenarm Street, between 17th and 18th; contained \$13.00 in cash and other articles.

Shortly after noon Tuesday, Nov. 21, two masked men held up the South Denver Bank, 125 Broadway, and secured \$1,943.56.

MISCELLANEOUS MEMORANDA.

ROBERT BRADLEY,

Wallace, Idaho.

Orchard roomed at Bradley's hotel about two months before the killing of Governor Steunenberg, and he was making powder preparations in his room, and Bradley ordered him to take the stuff out of the hotel.

FRANK W. MULICH,

1802 Arapahoe St., Denver. Phone 2204 Black.

Newspaper man. Used to work in Pocatello, and knew Howard Ainsworth in Boise. Saw Ainsworth and Robert Palmer in Pueblo enroute to Kansas City. They said that a Pinkerton detective from Chicago was in Pocatello two weeks before the stuff was dug up by Adams, and that these detectives buried the stuff there for him to dig up.

JACK HULLIVAN,

With Filbin's Employment Agency on 17th St., Denver. (Hullivan died with consumption on or about November 1st, 1906.) Used to room with Orchard at the Virginia rooming house in the summer of 1905. Orchard used to be out a good deal nights and always had plenty of money. Saw Haywood and Pettibone there repeatedly, but never heard anything said between them that

165
Archives
University of Colorado
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savored of the commission of any crime whatever, or anything from Orchard which implicated any of them.

W. J. VAUGHN,

1217-27th Ave. N. E.
~~Glenwood, Minn.,~~ near Minneapolis, on the Sioux line.

Vaughn and a man named G. Mc Givenny were connected with Orchard in writing hail insurance in the Arkansas and San Luis valleys for the St. Paul Mutual Hail & Cyclone Insurance Company, 712 Pioneer Press Building, St Paul, Minn.

Vaughn came to my office on July 18th, 1906. He was acquainted with Thomas Hogan at Belmont Hotel in 1903, under the name of Dempsey. Vaughn went away and returned in 1905, and found Dempsey still there under the name of Hogan. Hogan got him to go into the life insurance for the New York Mutual, under John L. Stearns, but they later took up hail insurance and worked in Canon City, Rocky Ford, Monte Vista, and later in Greeley, together. Hogan was a great union man, but said he at one time worked for a Mine Owners' Association as a detective; that he worked them for some easy money. Hogan was too fast with women and drink, and so Vaughn quit him in the fall of 1905. Hogan's pet idea was to amalgamate all unions into one, but he never talked any violence. Sometimes they made \$50.00 a day writing insurance. In all they cleared about \$800.00 while they were together. Mc Givenny is somewhere in Idaho, but had nothing but a passing acquaintance with Hogan, and knows nothing either for or against him.

MR. KRAUSE.

On May 11th, 1906, Mr. Krause came to my office and said the Pinkertons had sent for him and wanted him to identify Orchard or Hogan's picture, as a man who was much with Haywood and Moyer, but he would not. Says he never saw Orchard and Haywood, or Moyer, together in his life, but has seen Orchard, or Hogan, as he calls him, in Pettibone's store.

A. F. DAWSON,

Montrose. Former Chief of Police at Cripple Creek. Is said to have heard Detective Scott say that Bell was no man to send to identify Orchard, as he, Scott, was the man, having been intimate with Orchard for more than a year.

JACK DALY,

Gibbon's saloon on W. Colfax Avenue. Was negotiating the purchase of the Virginia rooming house through Orchard and Pettibone. Pinkertons have offered him \$5.00 a day and ten cents a mile to go to Caldwell to testify, but have not told him what they wanted him to testify to, and says he knows nothing whatever. Came to my office on August 2nd, 1906, and told me the above. Supt. Prettyman was the Pinkerton who interviewed him.

GRANT.

Mr. Grant was a little detective, and was employed at Chicago headquarters to take \$7,000.00 to Barnes or Byrnes at Cheyenne, and a letter of instructions. The window was up in his berth on the sleeper, and it rained, and the letter became damp, it being in the pocket of his coat, which was hanging next to the window. The seal was thereby loosened, and he opened and read it. The directions therein were to operator Byrnes, or Barnes, to take the money to Denver and give it to Pettibone. He and Byrnes, or Barnes, came together to Denver. Grant put up at the St. James. He does not know what was done with the money. He told me this in my office on July 20th, 1906.

JOSEPH BENSON DOUGLAS,

#1755 Emerson St. Works in saloon at #800 W. Colfax Ave. (Went to Oklahoma in the fall of 1906, and his last known address was Shawnee, Okla.) He ran a saloon at Victor all during the labor troubles, which was generally recognized as headquarters for Federation men. He says that Thomas Scanlon knows of secret meetings of certain members of the Mine Owners' Association, and that the blowing up of the Independence depot was concocted by them at a meeting in Victor. The names of those attending the meeting were: A. E. Carlton, Nelson Franklin, A. T. Holman, L. E. Hill, F. M. Reardon and Capt. Harry G. Moore. That they had a regular corps of blacklegs and ex-

convicts to carry out their bidding, among whom were C. H. Mc Kinney, K. C. Sterling, Frank Vannick, Al. Bemore, Jack Allen and Kid Waters. That these latter men were all in Independence and Goldfield drinking and carousing on the night of the explosion.

That Ed. Holland, who had both legs blown off, and who was afterwards supplied with wooden legs by Carlton, believes from his own investigation and his experience in trying to get the Association to offer a reward, that these men are guilty of that offense.

Investigation shows that the discharge was not made by a wire and a revolver, as is commonly supposed, but by wrapping a fuse around a lighted candle, placed under the platform of the depot, which was not expected to go off until the train had passed, but owing to a draft the candle burned faster than it otherwise would, and the fuse was reached sooner.

Both Moore and Franklin were at the scene of the explosion, on horseback, within ten minutes after the explosion, which would not have been possible had they been in Victor at the time it occurred. The marshal of Independence did not show up at scene of explosion until about two hours after the event had taken place. All of the other local officers were deposed, but he was allowed to retain his position.

Douglas got up several petitions, one to Mine Owners' Association and two to County Commissioners, and had them presented to Reardon, and others in the above list, to sign, but they all declined. Afterwards Reardon did sign one to the Commissioners, but it was after they had been seen, and he knew what their action would be. Reardon, who had not spoken to him

169.

in a long time, came into his saloon and told him that he was doing too damn much writing, and he had better cut it out before it made him trouble.

Thomas Seanlon knows that one of the Pinkerton's, either Bob or Bill, had a meeting with Mo Parland and an unknown man at the Brown Palace in November, 1905, about six weeks before the Steunenberg affair. He believes that unknown man to have been Orchard, and that the plot was then completed, so as to distract attention from the members of the Mine Owners' Association, for whom the trail was getting too warm at that time as to their connection with the Independence depot disaster.

A. B. OLSON,

Exchange Teller, Colorado National Bank, Denver.
Used to be with Bi-Metallic Bank at Cripple Creek.
Roach, plumber on Court Place, used to live in Cripple Creek in an early day, and was always bitterly opposed to the unions, and in every way prejudiced against them. He told me this because he had read in the newspapers that Pettibone bought bomb material from Roach's store.

DAVID C. COATES,

Wallace, Idaho.
Mr. Coates told me in the Idanha Hotel at Boise, on August 23rd, 1906, that he met Orchard in Denver in the summer of 1905, at Pettibone's store. That

he came to Wallace in September or October, where he saw him with Simpkins several times. Orchard said he was broke, and was going to get money from Paulson. He talked of kidnaping Paulson's child. Paulson was the man who had bought Orchard's interest in the Hercules, when Orchard was run out of Wallace in 1899. Coates discouraged and denounced him; told him that the thing which he proposed to do was a crime, and, believing that he was joking more than anything else, he paid no further attention to it. Orchard was around Wallace several weeks.

MRS. ROBINSON,

of Salt Lake City,
knows of plots and agreements in Polly Pry office. James Mc Guire, with a cripple leg, so Mrs. Robinson says, is a cousin of Harry Orchard. His mother runs The Elms on Glenarm Street, between 16th and 17th streets, Denver. James Mc Guire was circulation manager for Polly Pry. She believes Orchard was working for the Pinkertons at that time.

DOCTOR MC GEE,

Resides at Hotel Palmerston, Spokane, Wash. in the winter time, and lives in a house boat on the Coeur d'Alene Lake in the summer time.

Saw him at Eagle Block in Wallace on the evening of February 3rd, 1907. He says, in October, 1902, he was sitting in his office in his hospital in Wallace. A man came in, whom he identifies from a cut of him which I showed him in the newspaper. The man was Thomas Hogan, alias Harry Orchard. This man said, you don't remember me, do you? The doctor said, no. The man said, I have seen you a number of times. Don't you remember one time at Burke when there was a big poker game going on, and he mentioned the name of one of the players. The doctor remembered the game very well. He said he was there. He said his name was Orchard; that he had been in the camp some time; that he was now working as a helper around Markham's milk ranch, but that was not all he was doing; that he came here for the purpose, and had been and was then working as a spotter for Capt. Swayne of the Thiel Agency at Spokane. That he was out for the stuff, and if he had any political work that he wanted to pay for that was what he was after.

F. L. PAYNE,

Caldwell, Idaho. Former deputy sheriff under Jasper Nicholls.

On the Sunday preceding the Saturday upon which Steunenberg was assassinated, Payne was coming back

over a hill a little ways from town, where four men were shooting bombs. One man would fire the bomb, and then hold up his hand and run, and as he held up his hand another man would walk deliberately from a given place to a distance until the bomb would explode, and then all of them would go and measure the distance so walked. Payne thinks that T. W. Wheeler also saw this done. Says Harry Orchard was one of the men. (I afterwards saw Wheeler and talked with him. Wheeler remembers about a shooting on Sunday afternoon, but does not know whether it was a bomb or not. The shooting took place in the vicinity of his house, but not within sight of it, and he thought some one was blasting a rock in the road which needed to be taken out, but he afterwards saw the rock there, so he does not know what the explosion indicated.)

F. C. CLIFFORD,

Sterling, Colorado. Agent for the Capital Life Insurance Company of Denver, of which Thomas F. Daly is president.

Is brother of a former president of the Western Federation of Miners. Had desk room in Pettibone's store from April 15th to September 15th, 1905. ~~for~~ Hogan there repeatedly in the daytime. Saw Steve Dickson (Adams) there once. Saw Haywood there not over three times in all. There was no secrecy about it; there were no meetings; no bombs, nor any material of that kind on the premises at any time. Saw workshop in the basement repeatedly. Had been

by store a great many times in the evening, and never saw anybody there but once. Stopped in and found Mrs. Moyer and Mr. and Mrs. Pettibone there. They had stopped for a moment for something on their way to the theatre, and came out immediately, and Mr. and Mrs. Pettibone went to the theatre, and Mrs. Moyer went home.

BENNIE BENSON,

address unknown. Was with Polly Pry as business manager during its entire career. Halstead Ritter, an attorney in the Equitable Building, her cousin. September 21st, 1906, Mr. Ritter told Mrs. Robinson that Mine Owners' Association had employed Bennie Benson to go to Boise from Chicago, there to furnish data to the Statesmen for publication on Gripple Creek and Colorado labor troubles, and to assist the prosecution in every way. Ritter said she was going to get a big salary and expressed himself as delighted with her prospects.

OLD SOLDIER.

On the 28th of November, 1905, an old soldier, returning to the Soldiers' Home in Idaho, on the train, sat in the seat with a man who said his name was Hogan, and whom he identifies from pictures in the papers, as Orchard; said that he was a member of the Western Federation of Miners, and had quit them and was now working for the Mine Owners' Association. That the Western Federation of Miners had made a good

fight, but they were beaten, and if he would keep watch of the Idaho papers for thirty days he would see something which would startle everybody.

The following article appeared in The Denver Republican on February 19th, 1906:

ORCHARD'S STORY BLAMES HAYWOOD

Confession of Alleged Assassin of Steunenberg Causes Arrests of Western Federation Heads.

Idaho Suspect's Admissions Proved by Finding Bombs in Denver and Chiefs of Miner's Union Are Being Rushed to Northwest to Face Charges of Complicity in Terrible Reign of Terror Which Prevailed in Several States—Vincent St. John, formerly of Telluride, is Arrested in Connection with Idaho Crime and Is in Jail at Wallace.

Under heavy guard and part of the way on a special train, Charles H. Moyer, president, and William D. Haywood, secretary-treasurer of the Western Federation of Miners, and Charles E. Pettibone, a Coeur d'Alene suspect, all three charged with murder, as accessories to the assassination of former Gov. Steunenberg of Idaho, were taken from the county jail, this city, to Boise, Ida., at 5 o'clock yesterday morning. They were arrested Saturday night on requisition from the governor of Idaho, granted by the governor of this state after 48 hours of careful inquiry into the evidence submitted by the Idaho authorities, together with evidence that had been gathered here in Denver under the supervision of Adj. Gen. Berkeley Wells and others.

The arrests were due to the confession of Harry Orchard, held to answer to the higher court for the murder of Steunenberg, he being accused directly of setting the explosive.

But the single confession of this man Orchard is not relied on. Corroborative proof of what he confessed regarding the operations of the Dynamitard club, was found in Denver. He confessed to plots that were on foot in this state to do murder and he told where the explosives that were to be used could yet be found. This confession was transcribed and a copy submitted to the authorities in Denver. They went to the spots designated by Orchard and found the bombs. These instruments of death were to have been used against public officers in this state who had taken part in the overthrow of the Western Federation of Miners and the officers marked for assassination included the chief justice of the supreme court, one or two members of that court, the former governor of this state, his adjutant general and perhaps one or two others, including lawyers who had taken an active part in the work of the vigilantes committee at Cripple Creek.

There could not be any question of the part played by Orchard and of his knowledge of the workings of the modern "Molly" business. The next trial was the confession of the assassin Moyer with the assistance of Governor McDonald was furnished by Moyer in plain language. The Western Federation of Miners had been used to the extent of many thousands of dollars in aiding Orchard, Pettibone, Sam Adams, Thomas Logan and several others. Evidence was also forthcoming to prove that the leading springs in the plan of wholesale assassination had been associated with Haywood and Moyer. It is not charged that either of the officers arrested had taken a direct part in the murder of Steunenberg, or in other killings in this state. But it is made very evident that they or one of them must have known what they were paying large sums of money for to such men, who were fugitives from justice.

A bulky confession containing over 10,000 words from Orchard sets forth that the Western Federation of Miners were privy to the deeds and the aims of the men who had been paid large sums from the treasury of the Western Federation of Miners.

In the Idaho courts Haywood and Moyer will be given an opportunity to clear their names. And should they escape Idaho, the Colorado authorities will have something to say.

Merritt B. Walley's Death Now Explained

Startling evidence is in the possession of the authorities of this state regarding the hitherto mysterious death of Merritt B. Walley, who was blown up on a vacant lot at Colfax and Emerson street last May. Many theories were advanced at the time. The decedent had been a mining engineer in Leadville and Cripple Creek and was an opponent of the Western Federation of Miners and subversive unions. His body was blown to pieces by a nitro glycerine bomb. The police could find no clue. The Colorado Mine Owners' association and relatives and friends employed detectives who worked for months, always trailing the mystery to the organized gang of dynamitards, but never quite able to secure evidence against the individuals. It was known that Mr. Walley had been followed that morning by a man on a bicycle.

With the confession of Orchard the matter is made plain. The man on the bicycle trailing him until he reached the vacant lot, threw the explosive, or placed it where he was certain Walley would strike it.

Pettibone, who was arrested at the same time as Haywood and Moyer, were taken in charge, is notorious in the Coeur d'Alene and was connected with the outrages on the Sullivan mine at Wardner, which brought the federal troops to the scene. He was arrested by the troops. For some time past he has been living in Denver and has been around the headquarters of the Western Federation of Miners. He is connected by strong evidence with the assassination of Steunenberg.

Conspiracy When Pettibone Will Startle Country

One of the best known detectives in the Western country was called into consultation by the Idaho authorities and he spent some weeks bringing to light a conspiracy which will startle the country when it is made plain at the proper time. He gave a full confession from Orchard and at once set to work to verify this confession. The main facts were substantiated in a manner that cannot be gainsaid. Before the facts are published a number of further arrests will be made, including another of the leaders of the Western Federation of Miners.

Apart from the Orchard confession, there is evidence sufficient from other sources, Orchard will undoubtedly hang. Witnesses will be produced at the trial who will swear to having seen him make the explosive, which hurled the former governor of Idaho to his death.

But what made the confessions secured in Idaho and Utah by the detectives of such vital interest to Colorado is the substantiation of his statement by the finding of the explosives themselves.

Denver was the headcenter of the Dynamitards club. The refugees from Cripple Creek and Telluride and other places gathered here and planned assassination by the wholesale. It is stated by those who are in possession of the confessions and testimony of witnesses that the club and its doings will be brought dangerously near home to all the men now under arrest.

Orchard was well known in Cripple Creek. The first time he went into prominence was previous to the discovery of the plot to derail a train of miners in a cut near Independence. He was in some way connected with the local union. It is asserted by those who have seen his confession that he was one of the men selected to do the work by the "inner circle" whose duty was to create a reign of terror which would cause the mine owners to end the strike in favor of the Western Federation of Miners. When the time came to do the work that would wreck the train and throw it down the embankment, Orchard willed and claims to have given information that prevented the horror. But this is doubted as the next heard of him is in Denver, where he claims to have drawn from the treasury of the Western Federation money for services rendered. Soon he became a valued member of the "club" and was let in on all of the jobs. Through his connection with the "club" he was able to know of all the plots concocted.

Tells of Blowing Up of the Independence

In his confession Orchard tells the history of the blowing up of the Independence mine on June 6, 1904, when 40 people were marked for death, and 13 fell victims. He gives facts of the murder of Martin Gleason, a mine superintendent, who was brutally tortured and his lifeless body later thrown into a shaft to give the crime the appearance of accidental death. He relates the facts of the blowing up of the Vindicator shaft when Shift Boss Beck and Foreman McCormick went to their doom.

All this, and more, Orchard freely confessed to, calmly detailing what part of the dastardly work he himself performed. That executed by his own masterly hand he explained could be distinguished easily. His ingenious mind was responsible for many scientific devices in executing plots wherein the deadly dynamite was the weapon of death. He referred particularly to the blowing up of the Independence depot and the Vindicator shaft. The mechanism of the machines that blew both to destruction was of the same pattern. Both machines with the set pistol and wire attachment were identical. It was a master stroke for him in inventing such a mechanical appliance to perform the deadly work, he seemed to think. In these two crimes, Orchard, it will be shown by the confession when that startling document is given to the public, was the leader.

The pistol that fired the shot was later found. Its origin was traced. It had been brought from Telluride, and the buyer in that city was a member of the Western Federation of Miners. Orchard was identified as the man, but the bird had already flown, and from that time on Orchard managed to cover his tracks and hide his identity.

Where Orchard Went and What Happened

Completing his work in the district at the cost of several score of lives, the fugitive, under various aliases, left that part of the country. He wandered through the districts of Utah, Idaho and Nevada. His brothers in crime, members of the Western Federation of Miners, against whom he has informed, kept in touch with the hunted man. He readily responded when they needed assistance in carrying out their plots. It was in Idaho and Utah that several "tricks" were turned. They were shrouded in mystery until Orchard made his confession. He tells of his movements all through that section, clearing up a number of minor crimes which happened in the last few months.

"I believe," said Samuel D. Crump, yesterday afternoon, "that Harry Orchard knows enough that he can give out to convict the officers of the Western Federation of Miners. We were unable at Cripple Creek to connect the officers with the heinous crimes committed there. Orchard left Colorado under the name of Dempsey, and we lost him in Wyoming. We were confident at the time that if we had captured him that we could have secured information from him that would have led to the arrest of the officers. Now the Idaho authorities have Orchard and I suppose secured from him the evidence they needed to arrest these men. We in Cripple Creek were able to connect two members of the executive board of the Federation with the blowing up of the Independence depot. These men were Sherman Parker and W. F. Davis, but we could never get any further than that Orchard was the missing man."

"I have understood for some time that the requisition has been ready to serve here for several days, and Gov. McDonald granted the requisition Saturday. The Idaho people are in earnest about this and they are going to find out who killed Gov. Steunenberg. There is a great similarity of method in all of these atrocities from the killing in the Vindicator down to the assassination of the ex-governor of Idaho. I have always been sure that the Western Federation of Miners committed these crimes, but, as I say, we never were able to get judicial evidence against the officers. We do know that Orchard was paid \$2,000 for the Independence job, and I suppose that he was paid for the assassination of Steunenberg, but he was caught so soon after the crime was committed that he was not able to get his money for that. The Idaho authorities understand have a vast amount of evidence against Orchard, and he cannot possibly be freed."

Plots to Kill Peabody and Other State Officials

"I have always believed that Merritt B. Wallley, who was killed on a vacant lot was murdered by the Western Federation of Miners. There was the same sort of an explosion and the same method. I have been asked to go to Idaho when the case against Orchard is tried, and that is about all the connection that I have with the Idaho troubles. As to the report that former Gov. Peabody, Gen. Bell, C. C. Hamlin, myself and others were to be killed by the Federation, of course I cannot say how much of truth there is in it. I do know that letters have been received by these men threatening them with violent deaths. But only the future can reveal these things."

On Thursday last Deputy Warden Mills of the Idaho state penitentiary held a conference with Gov. Jesse F. McDonald, telling him that he had requisition papers for William T. Hayward, Charles Moyer and C. H. Pettibone. The papers were left with the governor with the request that their contents be kept secret. Not even the attorney general was to be consulted. The governor kept the papers until shortly after noon on Saturday, and he signed them just before he left for Colorado Springs. Deputy Warden Mills held the papers until Saturday evening, when three men were secured from the sheriff's office, each of them enjoined not to say anything concerning what they were to do.

Attorney Hawkins Foiled in Attempt to Save

One man was detailed for each of the prospective prisoners, and they were taken separately to the county jail. There they were held, and as they were not put in jail until after 1 o'clock they were not permitted to telephone any of their friends. At 6 o'clock yesterday morning they were taken to Idaho on a special train under a heavy guard.

Attorney Horace N. Hawkins was apprised of the fact that there was a rumor to the effect that Hayward, Moyer and Pettibone were in jail. He telephoned to what he believed to be reliable authority and asked concerning what he had reason to believe was a rumor, and he was informed that there was no truth in the report. He promptly retired, and the chance of the officers of the Federation getting a writ of habeas corpus was gone. He arose Sunday morning and discovered that his clients had been taken out of the state.

Among those who accompanied the Idaho officers with their prisoners were Under Sheriff Baird and Adit Gen. Bulkeley Wells. The Idaho authorities took the greatest precautions along the route to prevent interference with the train or attempts to wreck it or any movement that might be made to attack the prisoners. Fearing in Idaho is running high.

CAN CONVICT MEN ON EVIDENCE, IT IS SAID

BOISE, Idaho, Feb. 15.—The authorities here refuse absolutely to give out a particle of information respecting the nature of the evidence against President Moyer and Secretary Hayward of the Western Federation of Miners, or that in the case of George A. Pettibone, who is also being brought here on the special train from Denver.

There are only two men here who know the facts—the governor and J. H. Hawley, chief counsel for the prosecution. Both refuse to deny or affirm the

report that Harry Orchard the man in custody for the murder of former Gov. Steunenberg, has made a confession. Mr. Hawley, however, states positively that they have evidence sufficient to convict all three men. There are indications that other arrests are impending, but on this point there is no conclusive evidence. George A. Pettibone was connected with the Couer d'Alene plots of 1892 and was one of five men sentenced to prison in Detroit for a year for violation of the injunction of the federal court restraining the miners from interfering with the mines.

VINCENT ST. JOHN UNDER ARREST

WALLACE, Idaho, Feb. 15.—Vincent St. John, president of the miners union of Burke, Idaho, by Sheriff Angus Sutherland of Shoshone county, is now in the county jail at Wallace. He was arrested this afternoon on a telegraphic order from Boise.

Sheriff Sutherland drove to Burke, which is seven miles from Wallace, found his man in bed, arrested him and brought him to Wallace. St. John refuses to say anything about his arrest or the cause therefor, and the sheriff is equally close-mouthed, but it is almost certain it is in connection with the murder of ex-Gov. Steunenberg at Caldwell, Idaho.

St. John has been voting under the name of John W. Vincent, and is also known by that name in his dealings with the Burke union. He came to the Couer d'Alenes directly after the union troubles in Telluride, Colo., a year and a half ago. He has been employed in the Hercules mine at Burke as a common miner. He is married, but has no children. The arrest was made so quietly that Burke apparently was not aware last night it had occurred.

Vincent St. John was president of the Miners' union at Telluride when Arthur C. Collins, manager of the Smuggler mine, the largest property in the district, was so foully murdered.

St. John ruled the miners with an iron hand, and was at the head of all Federation affairs.

St. John and nearly a score of other members of the union were arrested on grand jury indictments charged with complicity in several of the crimes which stirred the people of the whole state at the time. The prisoners were kept in jail in default of bonds, but were liberated at a late hour on a Saturday night, because of some alleged irregularity in the official papers, and they speedily left the country. Because of the Sunday intervening the sheriff was unable to get the necessary papers and re-arrest the men.

St. John went at once to Mexico, and for more than a year was unheard of. In the meantime the Telluride Miners' union went to pieces.



GROUP OF FEDERATION OFFICIALS.
Sitting—Charles H. Moyer, president, on the left, William D. Haywood,
secretary, on the right. The two men standing are members of the W. P. M.
executive board, but are not concerned in the Iuzho crime.

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THE IDAHO DAILY

FOURTY-SECOND YEAR.

BOISE, IDAHO, SATURDAY MORNING

HABEAS CORPUS FOR FEDERATION MEN

Supreme Court Grants Writ Upon Application of Attorneys for Moyer, Haywood and Pettibone Returnable March 1.

PETITION CHARGES CONSPIRACY AGAINST STATE AUTHORITIES

Attorney Richardson Declares He Considers the Decision of the Court a Great Victory for His Clients Although It Will Not Secure Their Release--Will Test Legality of Proceeding Whereby Men Were Arrested in Denver and Brought Here.

The petition of yesterday in connection with the recent arrests of Charles Moyer, William Haywood and Charles Pettibone was granted by the supreme court yesterday where they filed application of habeas corpus for their release.

The petition was identical and argued by the attorneys yesterday morning.

Richardson issued requiring Warden Miller to produce the petitioners before the court and to show why they are being held in custody.

The petition was taken under advisement by the justices yesterday afternoon and the decision that the writ should be granted and that the petitioners be released at 10 o'clock in the morning of March 1.

Richardson stated that he would be glad to attend to in person any of the attorneys who wished to have a date for the arguments that would make it possible for him to be here personally to conduct his side of the case. As the proceedings were ex parte and no attorneys for the prosecution were present, the court ruled that the writs would be returnable next Thursday and the arguments could be arranged by the attorneys on either side of the case at any time between March 4 and March 10.

Petition in Moyer Case.

The petition for the writ of habeas corpus in the case of Charles Moyer, William Haywood and Charles Pettibone was granted by the supreme court of the state of Idaho yesterday.

The original proceedings in the case of Charles H. Moyer, by his attorneys, John F. Nugent, John F. Richardson, and petitioner, were granted requiring one of the warden of the state of Idaho to produce the body of said Charles H. Moyer before this court and that the court may have the reason of the restraint of the body of said Charles H. Moyer for the grounds of his arrest and says:

The said Charles H. Moyer was arrested and restrained of his liberty by the said E. L. Whitney, warden and acting warden of the state of Idaho, at Boise, City, Idaho, and E. L. Whitney by the said Charles H. Moyer is restrained of his liberty and restrained at the Idaho state penitentiary at Boise, Idaho, and the parties who are named in the said petition are the officials of the state of Idaho.

That thereafter and on the same day the said Van Duyn did present an affidavit to the governor of the state of Idaho, in which he charged "that the said Charles H. Moyer was in the state of Idaho on the date of the murder of said Frank Steunenberg, and that said Charles H. Moyer is a fugitive from justice of the state of Idaho."

That thereafter and after the filing of the said affidavit he presented an affidavit to the governor of the state of Idaho, in which he charged "that the said Charles H. Moyer was in the state of Idaho on the date of the murder of said Frank Steunenberg, and that said Charles H. Moyer is a fugitive from justice of the state of Idaho."

That thereafter and on the same day of February, A. D. 1906, the said Van Duyn did present an affidavit and certificate to the governor of the state of Idaho, in which he charged "that the said Charles H. Moyer was in the state of Idaho on the date of the murder of said Frank Steunenberg, and that said Charles H. Moyer is a fugitive from justice of the state of Idaho for the purposes aforesaid."

That a certified copy of each and every one of the said papers hereinafore referred to are hereto attached and marked "Exhibit A" and asked that all of the acts and documents of the said Van Duyn as the said Van Duyn and thereafter set forth in the said petition be set aside and annulled, and that the said Van Duyn and thereafter set forth in the said petition be set aside and annulled, and that the said Van Duyn and thereafter set forth in the said petition be set aside and annulled.

Charges a Conspiracy.

That at the time of the granting of the said writs and at all times thereafter, the said Van Duyn and said Van Duyn knew that the said Charles H. Moyer was not in the state of Idaho at the time of the alleged murder of said Frank Steunenberg and they and each of them well knew and were so advised by counsel and informed of the law and of the decisions of the supreme court of the United States, that the fundamental requisite of interstate rendition under the constitution and act of congress depended upon the actual person and bodily presence of the person sought to be rendered to have been in the state where the crime was committed.

That thereafter and on the same day the said Van Duyn did present an affidavit to the governor of the state of Idaho, in which he charged "that the said Charles H. Moyer was in the state of Idaho on the date of the murder of said Frank Steunenberg, and that said Charles H. Moyer is a fugitive from justice of the state of Idaho."

CONVICTION CERTAIN SAYS M'PARLAND

James McParland, the Pinkerton manager from Denver, returned to the city last evening. When seen during the evening by a representative of The Statesman, he said he had nothing that could be given out respecting the evidence against the men arrested in Colorado or elsewhere. He had not made the statements attributed to him, excepting some of a general character. Reporters had put things together and set them forth as statements made by him. In some instances they had struck near the truth and in others they were far from the facts.

Mr. McParland stated he had said that the evidence against these men was conclusive, and he was perfectly willing to reiterate that statement, and emphasize it. He had no doubt whatever that the men would be convicted on the showing that the state would make. The evidence was complete, Mr. McParland said. Things that had been reported in one way had been reported in another way, and the result was a confusion of the public mind.

solved and went to work at once upon the problem. From that time until he left for Denver he was working constantly, remaining up until late at night sending out instructions to the men working at widely separated points. No other agency had a hand in gathering any information used in solving the great problem.

There had been some criticism of the news indicating that those men had fled, but it was impossible to get away until certain things had been fixed up right. It was necessary to get information that was reliable and in doing so men at the state penitentiary were obliged to work in such a way that there was danger of some of the men being unfaithful. The men were being unfaithful, Mr. McParland said. Things that had been reported in one way had been reported in another way, and the result was a confusion of the public mind.

Mr. McParland stated he had said that the evidence against these men was conclusive, and he was perfectly willing to reiterate that statement, and emphasize it. He had no doubt whatever that the men would be convicted on the showing that the state would make. The evidence was complete, Mr. McParland said. Things that had been reported in one way had been reported in another way, and the result was a confusion of the public mind.

SERIOUS CHARGES JAP ADMINISTRATOR

SAN FRANCISCO, Feb. 23.—Archbishop W. W. Jeffries, an Episcopalian minister who has just returned from Japan, says that the Koreans are greatly oppressed by the victorious Japanese.

When the Korean objects to the seizure of his property, the minister says, he is rarely charged with a crime and is probably shot or hanged the same day.

The execution in some cases, Dr. Jeffries says, "are of a horrible nature, and he has brought with him a number of photographs to prove the truth of his assertion." He says that even women are not spared.

women are not spared. No uncommonly, the bodies of a Korean are allowed to rot for days as a punishment.

"The Koreans are not only oppressed, they are also being killed," he said. "The Japanese are called 'the great race' and they are killing the Koreans."

MIGRATORY DIVORCES STRONGLY DENOUNCED

ACTION TAKEN BY CONGRESS AT WASHINGTON.

Vigorous Resolution on the Subject Adopted—Need of Uniform Divorce Laws Is Pointed Out.

WASHINGTON, Feb. 23.—Before finally adjourning last night the congress on uniform divorce laws for several states adopted the resolution, which seeks more stringent laws against the migratory divorces.

FARMERS TO INSIST ON HIGHER PRICES

WILL INSIST ON HIGHER PRICES FOR PRODUCTS

Agricultural Producers Will Insist on Higher Prices for Their Products.

WASHINGTON, Feb. 23.—The agricultural producers will insist on higher prices for their products, it was learned today.

The following article appeared in the Idaho Capital News or the Idaho Statesman on March 9th, 1906:

Witnesses for the State.

It is interesting perhaps to go over the list of witnesses, most of whom testified at the preliminary examination of Harry Orchard.

Sherman R. Macey was one of the chemists who analyzed the powders and other exhibits thought to be explosives found in the possession of Harry Orchard when first arrested.

Harry Orchard is the man first arrested in Caldwell, very shortly after the assassination of Frank Steunenberg and whose sensational confession to James McParland incriminated the officials of the Western Federation of Miners and others.

Andrew Johnson is the Boise city detective who was one of the first investigators on the scene of the explosion. He is the man who swore out the warrant for Harry Orchard's arrest.

W. S. Swain, manager of the western office of the Thell detective service, was the detective who first had charge of the investigations into the Frank Steunenberg murder mystery.

Joseph Hutchinson, formerly lieutenant governor under Governor Frank Steunenberg, was one of the first to visit the scene of the explosion on the night of the assassination and he gave the first expert opinion regarding the nature of the bomb which killed the former governor.

Mrs. Addie Martin, at the preliminary examination of Harry Orchard, said she lived not far from the Steunenberg residence and had on several occasions seen Orchard in the vicinity seemingly surveying the Steunenberg premises with a field glass previous to the murder.

C. T. Wayne, lives across the road from the Steunenberg residence. He was doing the chores for the Steunenberg family on the day of the murder and passed through the gate where Frank Steunenberg met his death a few moments before the explosion. He ran from his own house immediately after the explosion occurred and was the first man to reach the wounded ex-governor.

William W. Kepple was living at the Steunenberg residence at the time of the assassination. He is a relative of Mrs. Eva B. Steunenberg, the widow. He arrived home very shortly after the explosion.

C. A. Wood is clerk at the Saratoga hotel. His testimony was regarding Orchard's registering at the hotel, the room he occupied and his general conduct and attitude while stopping at the Saratoga.

Guy McGee is a student at the College of Idaho in Caldwell. He lives some distance from town and out past the Steunenberg place. He professed to having met Orchard out along the railroad track on several occasions, evidently taking stock of the Steunenberg premises. On one occasion Orchard had a companion with him, whom, from a photograph, McGee identified as Jack Simpkins.

Dr. J. W. Gue was the physician called just before Frank Steunenberg died as a result of injuries received from the explosion.

J. C. Nichols is the sheriff of Canyon county, who conducted the investigations and precautionary measures to prevent the escape of suspicious characters from Caldwell until the case was placed in the hands of detectives.

D. C. Goodlow is a carpenter in Caldwell. While working on a new residence not far from the Steunenberg home he testified that he often saw Orchard walk out past the Steunenberg place and seemingly look over the premises carefully with a spyglass.

Alexander Ballantyne lives in Caldwell. At Orchard's preliminary examination he testified to seeing Orchard leave the Saratoga hotel about 6 o'clock on the evening of the explosion and start toward the Steunenberg residence. The explosion occurred at about 6:45 o'clock.

N. S. Ellis is another carpenter who claimed to have seen Orchard often in the vicinity of the Steunenberg premises and at times using a field glass.

C. P. Chimes was at work hauling stone for a new house being built on the street leading to the Steunenberg home during the last days of November. At Orchard's preliminary hearing he testified to having seen Orchard walking out toward the Steunenberg home on several occasions.

The other four witnesses are all residents of Canyon county and all were before the grand jury.

MAY APPLY FOR HABEAS CORPUS FOR ST. JOHN

Rumor to That Effect in Circulation Last Evening—Colorado Authorities Anxious to Get Hold of Him.

There was a rumor afloat last evening that the attorneys for the defense in the assassination cases intend to apply for a writ of habeas corpus for Vincent St. John, who was arrested at Burke and held on the charge of being implicated in the murder of former Governor Steunenberg. He was not indicted by the Canyon county grand jury.

St. John is wanted, however, by the Colorado authorities for the brutal murder of Arthur Collins, to which he is believed to have been a party, and a warrant for his arrest is understood to be in the hands of the officers here to be served upon his release from custody in this state.

The following article appeared in the Capital News on March 28, 1906.

CANYON'S MEN STERN BUT JUST

MASS MEETING PROCLAIMS ATTITUDE IN STEUNENBERG CASE DOOM TO THE GUILTY; FAIRNESS TO ALL.

(Capital News Special Service.)

Caldwell, March 28.—The following resolutions were unanimously passed at a mass meeting held in Caldwell at night, attended by all the business men and prominent citizens of the city. Copies are being sent to the Associated Press and all the leading papers in the United States, that the citizens of Caldwell may be understood on this subject and to head off many misrepresentations that are being made concerning the people of Caldwell regarding the Steunenberg murder case.

The citizens of Caldwell, believing that certain agitators who find their support by appealing to class prejudice and by arraying workmen against their employers are deliberately misleading the honest people of our sections of our country by false statements as to the cause of ex-governor Steunenberg's assassination,

the method of arrest of the persons accused of the crime and the attitude of the people of Caldwell toward giving the accused a fair trial; and are causing said false statements to be printed and published throughout the United States, do hereby denounce said statements as false and malicious and without any foundation of truth.

The implied charge, that the officers of the Western Federation of Miners, now under arrest, for the murder of our townsman, ex-Governor Frank Steunenberg, will not receive a fair and impartial trial from the prosecution's standpoint, we denounce as a slander on our courts and an insult to the law-abiding citizens of Canyon county.

The widely circulated stories that these men were mistreated while imprisoned are absolutely without foundation. We will venture the opinion that nowhere in the United States have prisoners charged with so serious a crime, been so well treated.

We denounce the efforts being made to corrupt and intimidate the people of Canyon county, to disqualify them from jury duty. We have positive knowledge that paid emissaries of the defense are at work among the farmers who might be called for jury duty, trying to poison their minds against the state and county officials, and we ask all law-abiding citizens not to talk with strangers about the case. We also warn the wives and daughters against female agitators, whom we know are at work among the women of Canyon county.

We demand a fair trial for the accused men, but we ask it to be fair on both sides. We only ask that these men be tried and judged upon the evidence submitted before a fair and impartial jury, and we deprecate the efforts of the defense to poison the minds or to intimidate otherwise unbiased citizens.

We call attention to the inflammatory literature with which the country has been recently flooded, from the blood-curdling threats of Debs down to some of the daily papers. We resent the insinuation that the citizens of Canyon county would not give the accused men a fair trial, and we openly charge that there is an element at work in our midst who do not want a fair trial, but who are clamoring and working to have the accused men released without any trial at all.

We especially deplore the tendency of outside journals to accept as fact and publish statements to the effect that ex-Governor Frank Steunenberg entered the office of governor a poor man and retired wealthy, thus appealing to laboring men's prejudice that he was corrupt. We know and publish as a fact that Frank Steunenberg retired from the office of governor a poor man and financially poorer than when he entered said office. He lived among us in Caldwell in a humble cottage and his estate will, when probated, amount to about \$15,000.

We treat with contempt the cowardly threats of bloodshed and destruction of property with which we are constantly threatened in case Haywood, Pettibone and Moyer are convicted of crime.

The people of Canyon county are wholly an agricultural community and are not prejudiced or affected by the differences existing between mine owners and mine workers.

STATEMENT BY JAMES M'PARLAND REGARDING STEVE ADAMS' CONFESSION

Detective Manager James McParland has prepared an interesting statement of what Adams told him about this Pocatello matter at the time he made his confession, the statement being delivered to The Statesman by his secretary last evening after news had been received of the result of the search for the cache. It follows:

Boise, March 26, 1906.

On February 28, while taking down the statement of Stephen W. Adams relative to the numerous outrages and murders committed at the instance of the inner circle of the executive board of the Western Federation of Miners, and while talking about certain high explosives he informed me that George A. Pettibone made an explosive known as "Hell Fire" or "Pettibone Dope" that in his opinion was the most dangerous explosive that was made, on account of the fact that a fire started by this explosive could not be extinguished by water. In other words, a building set on fire by this explosive would be burned to the ground regardless of efforts to put it out.

This explosive was made of stick phosphorus, bisulphide of carbon, alcohol, benzine and spirits of turpentine. These ingredients being properly mixed, were placed in bottles with glass stoppers, the stoppers being properly sealed. In order to explode these bottles and start a fire you simply threw the bottle against a substance that would cause the same to break, which would cause a frightful explosion and fire, a fire that could not be extinguished by water.

The great strike in Cripple Creek commenced in August, 1903, and during the fall the mine owners were shipping in non-union miners from the Coeur d'Alenes and other districts. It was at this time that Moyer approached Adams in the presence of Pettibone in the latter's store in Denver and informed him that he wanted him to meet him again at the store in the early part of the evening, when he would go with him down to the train. He said he wanted him to Pocatello, Idaho, and carry with him some Pettibone dope which he was to throw into any train that was supposed to be loaded with scabs and set the train on fire as it passed through Pocatello. He went on to state that according to appointment he met Moyer at Pettibone's store, where Moyer provided him with a telescope grip sack. In this grip sack was a tin can which, as he thought, contained two quart bottles and three pint bottles of the Pettibone dope. Moyer bought him a ticket for Pocatello and told him to get a berth in the sleeper so that he would get a good night's rest, and to watch every train that came through Pocatello and if he could find out the train that was loaded with "scabs" he was to fill it full of this Pettibone dope or hell fire, just throw the bottles through the windows and they would explode.

On arriving at Pocatello Adams made some inquiries relative to the supposed scabs that were to pass through, but so far as he could learn if there were any scabs being transported through the town they were

scattered in through the cars; therefore he concluded he would not take any chances in burning up a train of innocent passengers, and did not use this dope. Having been informed through Moyer, Haywood, and Pettibone that the mine owners of Cripple Creek were shipping scabs through from Arizona by way of Ogden, he went there and found that such was not the case. Notwithstanding the fact that this hell fire or Pettibone dope was securely sealed in bottles he found that it was smelling strongly, so he took the telescope containing these bottles of explosive along the railroad track, he thought, a little distance east of Pocatello. It was quite a little piece out of the town, something near a mile, where he planted the bottles in a little trench in front of an old building. The building had no floor in it, and looked as though it might have been an old mill at some time. The bottles were still in the tin can when he planted them there and covered them with a little dirt. He tore the telescope up and threw it back into this old building. While he remained some time in Pocatello, still he cannot give the location of where these bottles of explosives were buried, but said that he could walk to the same if in Pocatello, and he believes that the explosives are still there because if it had ever been disturbed there would have been an explosion that would have been published in the papers.

He then went to Ogden and subsequently came back to Denver and reported to Moyer and Haywood and Pettibone that it was simply impossible for him to execute the work he was detailed on without taking innocent people's lives.

JAMES M'PARLAND.

The following article appeared in the Idaho Statesman on April 15th, 1906:

OPINION FILED IN HABEAS CORPUS CASE

Elaboration of the Reasons Why Supreme Court Refused to Release Moyer and Associates--Many Authorities Cited.

A written opinion in the Moyer habeas corpus case has been filed in the supreme court. It is by Justice Allshie and is concurred in by both the other members of the court.

The opinion opens with a somewhat extended statement of the case. It sets forth the application, the return of the warden, the supplemental return after the indictment of the men, and the answer of the petitioner. In this answer reliance was placed upon the claim that the men had been illegally extradited, and removed from Colorado in a manner that was in violation of their rights, the governors of the two states having entered into a conspiracy for that purpose. The fact that the men were not in Idaho at the time the crime was committed, but in Colorado, was set forth as proof that they were not fugitives from this state and therefore could not be legally removed from Colorado.

After stating the case, the opinion proceeds:

It is proper to first observe that the extradition proceedings and process by and under which the prisoner was brought into this state appear in all respects regular and in due form.

With the foregoing statement of the case we will pass at once to a consideration of the questions of law involved.

We are of the opinion that after the prisoner is within the jurisdiction of the demanding state and is there applying to its courts for relief, he cannot raise the question as to whether or not he has been, as a matter of fact, a fugitive from the justice of the state within the meaning of the federal constitution and the act of congress. A careful and diligent examination of the many authorities touching upon this subject and the reasons that exist for invoking the aid of the writ in such cases, convince us that the question as to whether or not a citizen is a fugitive from justice is one that can only be available to him so long as he is beyond the jurisdiction of the state against whose laws he is alleged to have transgressed. It is a remedy which does not go to the merits of the case and does not involve the inquiry as to whether or not he is in fact guilty or innocent of the offense charged. It is a remedy that merely goes to the question of his removal from the jurisdiction in which he is found to the jurisdiction against the laws of which he is charged with offending.

If these views be correct, and we believe they are, it follows that so soon as the prisoner is within the jurisdiction of the demanding state, both the reason and object for invoking this principle of law have ceased and can no longer have any application. It has been held that it ceases to be a federal question so soon as the prisoner invokes its aid within the state from which he is alleged to have fled. (In re Cook, 49 Fed. 341.)

It must also necessarily follow that the courts of the state demanding the prisoner have no jurisdiction to inquire into the acts of the executive of the state delivering the prisoner. The action and conduct of the chief executive of the state in which the prisoner was found and of all the executive and ministerial officers acting in aid of his warrant is a matter for the consideration of the courts of his state, subject to the reviewing authority of the federal courts in so far as the federal question is involved. The warrant of the chief executive of the state surrendering the prisoner, whether issued lawfully or unlawfully, has accomplished its purpose and becomes functus officio so soon as the prisoner is delivered into the jurisdiction of the demanding state and its validity and the regularity of its issuance thereupon cease to be questions open to the consideration of the courts of the demanding state.

The Extradition.

The prisoner was regularly charged with the commission of a crime in Idaho and against her laws. The governor of Colorado honored the requisition from the governor of Idaho and thereupon duly and regularly issued his warrant for the arrest and surrender of the accused to the agent of the state of Idaho. This action of the Colorado governor was at least quasi judicial (In re Cook, 49 Fed. 341). It amounts to a determination that the accused was substantially charged with the

commission of a crime and was a fugitive from justice. (Roberts v. Keilly, 130 U. S. 40, 29 L. Ed. 544; Cook v. Hart, 146 U. S. 183, 36 L. Ed. 934.)

The motives which prompted the governor of a state to take such action or make such determination are not proper subjects of judicial inquiry. Such inquiry would be opposed both to the plainest principles of public policy and the freedom of action by the executive within the constitutional authority of that department of government. Jurisdiction to take the action complained of is the test, and the jurisdictional facts are subject to review by the federal courts and courts of the surrendering state where they are applied to before the state whose laws it is charged have been violated acquires jurisdiction of the person of the accused. In the latter case the object has been accomplished and as has been held in several cases there is no process or authority for returning the prisoner to the state in which he was found. (Mahon v. Justice, 127 U. S. 700, 32 L. Ed. 283; approved in Cook v. Hart, 146 U. S. 183, 36 L. Ed. 939; In re Moore, 75 Fed. 334.)

No Vested Right of Asylum.

One who commits a crime against the laws of a state, whether committed by him while in person on its soil or absent in a foreign jurisdiction and acting through some other agency or medium, has no vested right of asylum in a sister state. (Mahon v. Justice, supra; Lascelles v. George, 148 U. S. 543, 37 L. Ed. 551; Ker v. Illinois, 119 U. S. 436, 30 L. Ed. 421; In re Moore, 75 Fed. 324), and the fact that a wrong is committed against him in the manner or method pursued in subjecting his person to the jurisdiction of the complaining state and that such wrong is redressable either in the civil or criminal courts, can constitute no legal or just reason why he himself should not answer the charge against him when brought before the proper tribunal. The prisoner does not represent in his person the sovereignty of either the demanding or surrendering state and is in no position to speak for either, on the other hand, if any offense was committed in course of his rendition it was clearly an offense against the laws of one or both of those states; but neither state is here complaining. (People v. Pratt, 78 Cal. 349; 20 Pac. 733.)

No case has been called to our attention, and, in fact, we have been unable to find any instance where the prisoner has alleged as a ground for his discharge a like state of facts to those set up in the answer in this case and to which the motion is here directed. We have, however, examined several authorities in which the same course of reasoning adopted by the courts, in holding that the prisoner should not be discharged, is equally, and as logically, applicable to the facts of this case.

Professor Feabody, sometime lecturer on criminal law before the Harvard Law school in his text on Interstate Extradition, at page 69, 19 Cyc., states the general principle touching the rights of prisoners illegally brought into a jurisdiction as follows: "It is not a cause for exemption from prosecution for a crime that the accused was illegally arrested in another state and unlawfully brought within the jurisdiction of the state against which he offended, he is not protected from prosecution even if he is kidnaped in the other state and brought into the state without a semblance of right. It follows therefore that he is not wronged by being subjected to its jurisdiction, although the requisition proceedings were not strictly legal. As the state to which a person has been illegally brought may hold him to answer for his offenses against it, it may arrest and surrender him on extradition proceedings to answer for his offenses against another state. The state from which he was wrongfully taken has no redress except to demand the extradition of the abductors that they in turn may be prosecuted by it."

Decision by Field.

In Mahon v. Justice, supra, a case in which a controversy arose between the states of West Virginia and Kentucky over the kidnaping of the prisoner Mahon from the state of West Virginia,

Justice Field, after stating the nature of the controversy, said: "The only question, therefore, presented for our determination is whether a prisoner indicted for a felony in one state, forcibly abducted in another state and brought to the state where he was indicted by parties acting without warrant or authority of law, is entitled under the constitution or laws of the United States, to release from detention under the indictment by reason of such forcible and unlawful abduction."

In passing upon the question thus stated, that distinguished jurist said: "As to the removal from the state of the fugitive from justice in a way other than that which is provided by the second section of the fourth article of the constitution, which declares that a person charged in any state with treason, felony, or other crime who shall flee from justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime, and the laws passed by congress to carry the same into effect—it is not perceived how that fact can affect his detention upon a warrant for the commission of a crime within the state to which he is carried. The jurisdiction of the court in which the indictment is found is not impaired by the manner in which the accused is brought before it. There are many adjudications to this purport cited by counsel on the argument, to some of which we will refer." The opinion closes as follows: "So in this case we will say that whatever effect may be given by the state court to the illegal mode by which the defendant was brought from another state, no right, secured under the constitution or laws of the United States was violated by his arrest in Kentucky and imprisonment there, upon the indictment found against him for murder in that state."

Obtained Rightful Possession.

In re Cook, supra, the United States circuit court had under consideration the validity of an extradition granted by the governor where the party in fact had not been in the demanding state at the time the offense was committed, and the court speaking of the validity of the executive warrant, said: "His warrant, unassailed by competent authority, is complete justification for the arrest and surrender of the alleged fugitive. When so delivered by virtue of such warrant, his surrender is lawful and the demanding state obtains rightful possession of his person, and may lawfully subject him to its criminal process for the offense charged. The executive warrant has then spent its force. It is no longer operative. The alleged offender is no longer subjected to deprivation of liberty by virtue thereof, but is rightfully held under the process of the state. When that has happened, no federal question remains." The fact of flight may be in a sense jurisdictional to removal, as one says a criminal court has jurisdiction only of crime. But such court has jurisdiction to determine whether a certain act charged to have been committed is or is not a crime. Its decision therein, although erroneous, is not void. So here, the jurisdiction to determine the fact of flight is lodged with the executive. He has jurisdiction of the subject matter. His warrant is valid until his determination of the fact of flight is properly reversed. When, therefore, such valid warrant has been executed, the surrender thereunder is lawful, and the party lawfully subjected to the state jurisdiction."

The latter case was appealed to the supreme court, and in Cook v. Hart, 146 U. S. 183, 36 L. Ed. 934, the lower court was affirmed and Justice Brown who wrote the opinion on appeal made the following observation: "It is proper to observe in this connection that, assuming the question of flight to be jurisdictional, if that question be raised before the executive or the courts of the surrendering state, it is presented in a very different aspect after the accused has been delivered over to the agent of the demanding state, and has actually entered the territory of that state, and is held under the process of its courts."

Not a Sufficient Reason.

In ex parte Johnson, 137 U. S. 120, 42 L. Ed. 103, the court made the distinction between the service of civil process and that of criminal process where the party had been wrongfully brought into the jurisdiction, and said: "Indeed, there are many authorities which go to the extent of holding that in criminal cases a forcible abduction is no sufficient reason why the party should not answer when brought within the jurisdiction of the court which has the right to try him for such an offense and presents no valid objection to his trial in such court." "The law will not permit a person to be kidnaped or decoyed within the jurisdiction for the purpose of being compelled to answer to a mere private claim, but in criminal cases the interests of the public override that which is, after all, a mere privilege from arrest." To the same effect see: Dow's case, 18 Pa. St. 37; ex parte Ker, 13 Fed. 167; State v. Smith, 19 Am. Dec. 697; 12 A. & E. Ency. of Law, 607; Eaton v. West Virginia, 91 Fed. 760; Kingen v. Kelley, 3 Wyo. 574, 28 Pac. 38, 15 L. R. A. 177; ex parte Barker, 13 Am. St. Rep. 17, 37 Ala. 4, 6 So. 80; State v. Ross, 21 Iowa 467; State v. Patterson, 116 Mo. 505; Booklin v. The State, 26 Tex. App. 121, 9 S. W. 737; State v. Glover, 112 N. C. 396.

Not Chargeable to the State.

Counsel for petitioner lay much stress on the propositions that neither an individual nor the state can be allowed to gain an advantage by means of an unlawful or wrongful act. That proposition is true, but to gain an advantage means to obtain a superiority of position or opportunity which would not appear to have been done in such a case as this, admitting all the facts charged to be true. Where the state accuses a person of the commission of an offense against its laws, the mere apprehension of the accused, although in an unlawful manner, and subjecting him to the jurisdiction of the courts to answer the charge cannot amount to a legal advantage any more than if the accused had voluntarily surrendered himself to the authorities. The wrongful or unlawful means employed in making an arrest, however criminal they might be, could not be chargeable to the sovereignty, which can commit no crime, but would be the crime of the individual who committed the act and would furnish no reason or justification for discharging the prisoner when brought before the court. If therefore, a crime should be committed by any person in abducting, apprehending or arresting the accused, such person may be held to answer in the proper jurisdiction for the commission of the offense. But the commission of the latter offense does not exonerate the former.

Numerous authorities are cited on behalf of petitioner to the effect that a lawful rendition cannot be had of one who was not in fact within the demanding state when the offense is charged to have been committed. The latest and highest authority that has been brought to our attention on this phase of the case is Hyatt v. New York, 158 U. S. 691, 47 L. Ed. 657, 5 C. 172 N. Y. 176; 64 N. E. 825. As we have heretofore said, the question as to whether or not the prisoner was in fact a refugee from justice cannot arise at this time in the case at bar. Except for the construction placed on the second clause of section 2 of the fourth article of the constitution of the United States, and section 5278 U. S. Revised Statutes, by the highest court of the land, we should undoubtedly incline to the belief that they were designed and intended to authorize the extradition of any person who has offended against the laws of one state and is thereafter found in another state.

It would seem that by the language: "Who shall flee from justice," is rather meant a flight from a punishment—a penalty or condition which would follow capture and conviction—than a flight from a place or the territorial limits of the outraged commonwealth. The pursuing hand of justice demanding vindication and vengeance is a much stronger inducement to flight than the mere discomforts of place or the horrors or dislike of state lines.

While the belief just expressed is the unanimous view of this court as to the real purpose and intent of the extradition clause of the federal constitution, it amounts to the merest observation in this case and in no respect influences its decision.

We are not unmindful of the fact that the almost uniform current of authority, both federal and state, is to the effect that the flight must be from a place, namely, from the territorial limits of the state demanding the prisoner. It is worthy of note, however, that under that line of authority, as was suggested on the argument of this case, an assassin on the Oregon bank of the great waterway that marks our western boundary might by firing across the stream murder numbers of our citizens and be exempt from extradition and go free from punishment. In this respect the views expressed by Mr. Justice Clark in the extraordinary case of State v. Hall, 28 L. E. A. 293; 115 N. C. 811, are worthy of consideration.

Counsel place considerable stress on In re Robinson, 8 L. E. A. 398, a case where the supreme court of Nebraska ordered a prisoner discharged because he had been forcibly brought into the state without requisition process. That case does not meet the facts of the case at bar, besides, it seems to rest on the rule adopted in civil cases rather than that applied to criminal cases. The statement there made as to the current of authority on the question of interstate extradition leaves it open to the criticism that it is not a sound or carefully considered case. In fact, the weight of authority is entirely the other way as will be seen from an examination of Lascelles v. State of Georgia, 148 U. S. 537, 37 L. Ed. 552; Lascelles v. The State, 90 Ga. 347; see 11 Rose's Notes (U. S.) page 289; S. C. 35 Am. St. Rep. 220; 16 S. E. 946.

The motion having been sustained the case remains here on the answer of the warden which is admitted to be true. The prisoner has been indicted on the charge of murder, and for the purposes of this case whether as a principal or accessory, is immaterial under our statute. (Sees. 7697 and 7698 E. S. and Territory v. Guthrie, 2 Idaho 432), as is also the question as to whether he was within or without the state at the time of the alleged commission of the offense. (Sees. 6331 and 7481, E. S.). The proceedings appear regular on the face of the returns, and in conformity with the laws of this state, and since the prisoner is being held under process duly and regularly issued by a court of competent criminal jurisdiction, we are commanded by statute to remand him to custody. The writ is quashed and the prisoner is remanded to the custody of the officer.

The following article appeared in the Idaho Statesman on May 29th, 1906:

STRONG PROBABILITY THAT THE MURDER CASES WILL NOT BE TRIED NEXT MONTH

Matter Rests Entirely with Attorneys for the Defense.

UNITED STATES STATUTE BALKS PROCEEDINGS

BAR TRIALS OF MOYER, HAYWOOD AND PETTIBONE PENDING ACTION ON APPEAL.

Appeals Taken From Decisions of State Supreme Court and From District Court in Habeas Corpus Proceedings Come Up for Hearing in United States Supreme Court in October—Appeals Cover Same Ground—If Defense Attorneys Will Move to Dismiss Appeal From Circuit Court Trials Can Proceed—Would Not Prevent Decision Upon Merits of Matters Involved in Appeal.

There is a strong probability that the trials of the men accused of the murder of former Governor Frank Steunenberg will not take place until some time in the fall. This is because of a statute of the United States which, under a construction placed upon it by the supreme court at Washington, prohibits further proceedings by the state court in these cases until the appeal in the habeas corpus case from the United States district court here shall have been decided.

The district court for Canyon county will convene at 10 o'clock this morning and it is expected that most of the time today will be taken up in consideration of questions regarding the trials of these men, Charles H. Moyer, William D. Haywood and George A. Pettibone. The attorneys for the defense, E. F. Richardson, Fred Miller, John F. Nugent and George E. Dickson left for Caldwell last evening to prepare for today's proceedings and the attorneys for the prosecution will go down on the Pony train this morning.

Sheriff Jasper Nichols came to Boise last night and will this morning take the three prisoners, who have been held in the Ada county jail since being indicted by the grand jury, with him. He will be assisted in guarding them en route by several deputies who have been employed as guards at the jail.

In an interview yesterday with Attorney James H. Hawley regarding the present status of the case against Moyer, Haywood and Pettibone. The Statesman representative learned that there is a strong possibility that the cases, which were to have come up for trial about the middle of June, may be postponed until after the supreme court of the United States has rendered a decision on the habeas corpus case appealed by the attorneys for the defense from the federal court in Boise.

"It all rests with the attorneys for the defense," said Mr. Hawley. "The matter is in their hands entirely, and it remains to be seen whether they are as anxious to go to trial as they have claimed to be all the time. The prosecution is in readiness to try these men and we hope to proceed by the middle of June. Each side would probably require a week to subpoena their witnesses, and we hope the defense will be equally as anxious as we are to go to trial, and that there will be no delay."

The attorneys for the prosecution were yesterday served with copies of notice of motion for change of venue and a large number of affidavits in support of the motion, and also an application for a change of judge. The notice specifies this morning as the time it will be called to the attention

of Judge Smith. Mr. Hawley was asked if these matters are likely to be taken up this morning and he answered:

"I think not. The prosecution will likely ask for time to determine the course to be pursued. We are entitled to five days under the statute to prepare a counter showing and may ask until the next day to determine our course. If a change of venue is not granted, or a change of judge had, the question of whether the cases will be tried this term of court rests entirely with the defense."

"What is there to prevent a trial at this term of court? Have you any reason to believe the defense will ask for a continuance?" queried the reporter.

"I do not expect the defense will make any formal motion for a continuance," answered Mr. Hawley. "On the contrary, I think they will profess to want a trial. The trouble is, however, that matters are in such a condition that a trial cannot be had without affirmative action by the defense. Proceedings in habeas corpus were instituted before the supreme court of the state seeking the release of the defendants; upon the refusal of the supreme court to discharge the defendants, an appeal was taken to the supreme court of the United States. Habeas corpus proceedings were also commenced in the United States circuit court for Idaho. Judge Beatty also decided against the contention of the defense, and refused the desired relief, and an appeal was taken from his decision also to the supreme court of the United States. As the matter now stands, there are two appeals by the defendants pending in the supreme court of the United States, both of which are assigned for argument on October 9, next. These appeals are practically the same, and a decision in one will necessarily decide the other."

"What figure do these appeals cut so far as the trials of the defendants are concerned?" was asked. Mr. Hawley answered:

"The appeal from the supreme court of the state to the supreme court of the United States cuts no figure whatever, but the appeal from the United States circuit court to the supreme court of the United States is an important matter for consideration. Appeals are allowed by the United States statutes from the final decision of a circuit court upon an application for writ of habeas corpus in certain cases, sections 763, 764 and 765 of the revised statutes of the United States treating of this matter. Then follows section 766, which is as follows." Mr. Hawley read from his law book:

"Pending the proceedings of appeal in the cases mentioned in the three preceding sections, and until final judgment therein, and after final judgment or discharge, any proceeding against the person so imprisoned, or confined, or restrained of his liberty, in any state court, or by, or under the authority of any state, for any matter so heard and determined, or in process of being heard and determined, under such writ of habeas corpus, shall be deemed null and void; provided, that no such appeal shall be had or allowed after six months from the date of the order or judgment complained of." He continued:

"This section has been construed by various courts. The supreme court of California has several times decided that all proceedings after the appeal from the circuit of the United States is perfected, are null and void until the decision of the supreme court has been had. Other courts have taken a contrary view of the matter. Several times the supreme court of the United States has been called upon to construe this section in certain particulars, and while these decisions are not clear by any means, still in the case of *Craemer vs. Washington*, 168 U. S. 124, Chief Justice Fuller delivering the opinion of the court, says:

"Under existing statutory provisions appeals may be taken to this court from the final decision of the circuit courts in habeas corpus in cases, among others, where the applicant for the writ is alleged to be restrained of his liberty in violation of the constitution, or some law or treaty of the United States, and if the

restraint is by any state court, or by, or under the authority of any state, further proceedings cannot be had against him pending the appeal."

"If it were not for this expression by Chief Justice Fuller, in spite of the California decisions," continued Mr. Hawley, "I would not believe that the supreme court of the United States would take the view that the statute in question intended anything more than to render invalid any procedure in the state court detrimental to a prisoner, if the decision on appeal was in his favor. In this, however, I differ, I think, from the opinions of most of the members of the bar. I have discussed this matter on numerous occasions with Mr. Borah and the other attorneys for the prosecution, and we have concluded that the matter is of such a doubtful nature that we cannot urge a trial upon the court pending the appeal from the circuit court."

"Then what procedure will the prosecution urge should be adopted?" was asked.

"We called the attention of the attorneys for the defense to this matter several days ago," was the answer, "and suggested the advisability of their dismissing their appeal from the circuit court to the supreme court of the United States if they desired a trial at this term. In response to our letter on this subject we received an answer indicating that no effort would be made to withdraw the appeal, but that an immediate trial would be urged. What conclusion the defense will finally come to, of course, I cannot now state."

Upon an inquiry by the reporter if a dismissal of the appeal from the decision in the circuit court would in any way prevent a decision upon the merits of the matters involved in that appeal, Mr. Hawley said that in his judgment it would not. The same matters are involved in the appeal from the supreme court of the state as are at issue in the appeal from the circuit court. Therefore a decision on one would be a decision upon both. The bar of the United States statute does not extend to the appeal from the action of the supreme court of the state, therefore the pendency of the appeal would in no way interfere with the trial. Mr. Hawley said:

"A dismissal of the appeal from the circuit court would enable the trials to go on, and leave the matters at issue in that appeal to be decided upon the appeal from the state supreme court. The prosecution, however, is powerless in the matter. It rests with the defense alone whether in the event Judge Smith decides that proceedings pending said appeal are null and void, the appeal will be dismissed and the cases tried. As to what the defense proposes doing in the matter, I am not advised, except as I have stated to you."

"What in your opinion, Mr. Hawley, are the chances for a change of venue?" was asked.

"That is a matter that will come before the court in its proper course, which I do not care about discussing until it comes up."

The following was sent from Wilkesbarre, Pa., under date of October, 1906, to the Governor of the State of Tennessee. A copy of the letter was made and forwarded to Mr. Hawkins by a friend of his in the State House at Nashville, accompanied by a copy of the publication enclosed with the letter:-

Wilkes-Barre, Penna., October, 1906.

To His Honor, The Governor of the State.

HONORABLE AND DEAR SIR:- Please place yourself in the position of an ex-governor of your state.

You have performed your sworn duty as governor.

The governor of Idaho did so and his fate is read on page 766 in the accompanying magazine.

Please read this article.

Permit me to make the following suggestion, if none better presents itself to you.

185

Lay this matter before the attorney general of your state, Request him to communicate with the attorney general in Idaho, giving him your moral support. Assist if necessary to bring these good-for-nothing fellows to suffer the penalty of their wilful, deliberate, and premeditated murder of the ex-governor and other innocent persons.

Use every honorable means to break up the damnable business underlying the principles advocated by the Western Federation of Miners as well as others represented in the family of Mitchell, Gompers and others whose treasuries now are supplying the funds in order to defeat the ends of justice in the cases of the accused, named in the article herewith.

Is it not within the bound of propriety to do at least this much? Other avenues may suggest themselves to you, possibly by writing a line of encouragement to the district attorney having the matter in hand. Please do not let this pass without giving it some notice and attention. I beg to remain, in behalf of good citizenship,

Very Respectfully,

A Citizen in the Anthracite
Coal Fields of Penna.

MURDER AS A LABOR WEAPON

THE CRIMES THAT ARE LAID AT THE DOOR OF ORGANIZED LABOR IN THE MINING REGIONS OF THE WEST

By Franklin Matthews

A CRIMINAL trial which is in many respects the most important ever held in this country is just beginning in the little town of Caldwell, Idaho, where five men are to be tried for murder and conspiracy to murder. The safety of free institutions is involved to a greater extent than was ever revealed by any criminal case in the land. The men are on trial, so far as the indictment reads, for the assassination of ex-Governor Frank Steunenberg of Idaho, a plain, honest-minded citizen, farmer, and banker, solely for revenge, because Steunenberg, as Governor, had done his sworn duty and displeased the leaders of organized labor.

But in reality, the men are on trial for as dastardly and far-reaching a murder conspiracy as any civilized country ever knew—a conspiracy to kill, not in the name of liberty, nor to rid the earth of tyrannical rulers, nor for loot nor plunder, such as pirates and robber bands have formed and carried out; a conspiracy not the outgrowth of family or personal quarrels, such as have characterized the Mafia along the Mediterranean and the mountain feuds in this country; no such conspiracy as these, but a conspiracy to murder by wholesale those who have been guilty of assisting, officially and otherwise, men to work when and where and for whom they chose, without the consent of organized labor—in other words, a conspiracy to murder for industrial reasons. And that in the land of a free people!

The trial is to determine whether three of the five accused men are martyrs, as hundreds of thousands of the devotees of organized labor believe, victims of two informers, self-confessed murderers; or whether they are murderers, the depth of whose infamy was never equalled before in any country, and only approached once in this country, when the Molly Maguires spread terror through the coal regions of Pennsylvania, in the early seventies. Nooses around the necks of eleven of the Mollys on one day ended the career of that devilish band. They were largely ignorant men.

The man who brought them to the gallows is the same man who to-day accuses the leaders of probably the most powerful and thoroughly organized labor-union in the country, the Western Federation of Miners—all men of unusual intelligence and high executive ability—not only of the assassination of honest, fearless, inoffensive Frank Steunenberg, but of twenty-six other assassinations, and a series of other crimes which include train-wrecking, dynamiting, arson, and assaults of high and low degree.

The men on trial are Charles H. Moyer, president of the Western Federation of Miners; William D. Haywood, secretary of the organization; G. A. Pettibone, formerly a member of the supreme governing body of the order; Harry Orchard, a former member who has confessed to the twenty-six murders, committed, he says, at the instigation of Moyer, Haywood, Pettibone, and others of the "Inner Circle" of the union; and Stephen Adams, who assisted Orchard in his awful work. Another member of the order supposed to have belonged to the so-called Inner Circle, L. J. Simpkins, has been indicted, but is a fugitive. The man who secured the confession from Orchard is the famous detective James McParland, who unearthed the crimes of the Molly Maguires. Adams has confessed, because, he says, he feared being made a scapegoat.

Whether these accused members of the Inner Circle of the Federation of Miners are guilty or not, this fact is positive: there has existed a conspiracy to murder governors, judges, mine-owners, sheriffs, and others who espoused the cause of non-union labor in the last ten years in the mining regions of the Rocky Mountains, from Canada to Mexico. Men have been murdered, and marked for murder, for this offense. Some men, or set of men, have conspired to do this. The murders have been committed. The prosecution will seek to show that leaders or members of the Western Federation of Miners had motive for these crimes.

Note the extent and setting of the conspiracies. In the late nineties, when Steunenberg was Governor of Idaho, a strike of miners occurred in the Coeur d'Alene district. Non-union miners

were brought in. A train-load of strikers went to Wardner, and dynamited the \$300,000 mill of the Bunker Hill and Sullivan mine. Rioting, arson, and assaults followed to drive out the non-union men. Steunenberg, to keep the peace and prevent anarchy, called out the troops. More riots occurred, and the leaders of union labor and their followers to the number of more than 800 were confined in the famous "bull pen" in the district—whether justly or wisely, or not, has nothing to do with the case. Union labor lost the strike. Steunenberg did what he considered his sworn duty to the State, and retired to private life, a respected and honored citizen. He was a marked man for his courage in office, and he was killed on the evening of December 30 last by a bomb planted at his gate by Orchard, who was, he says, to get \$3800 for the job.

After the Coeur d'Alene troubles came the famous Cripple Creek and Telluride strikes in Colorado, brought about, like the one in Idaho, by the Federation of Miners. That was lost, too, at a terrible expense of blood and outrage, and a cost of millions to the State of Colorado through the ordering out of her entire State militia and their service in the field for fully a year. Arson, dynamiting, murder, assault also characterized that strike. Hundreds of miners were deported by the troops. The Governor of that State, James H. Peabody, was marked for slaughter. Two members of

the Supreme Court, Chief-Justice Gabbert and Justice Goddard, were also put on the death-list. D. H. Moffat, the millionaire mining and railroad man, was another marked victim.

The murders did occur. Nineteen non-union miners were killed on the railroad platform at Independence, Colorado, one night. Orchard says he pulled the string which set off 100 pounds of dynamite beneath them by orders of the Inner Circle, the plot for which was hatched in Haywood's rooms in Denver. Superintendent McCormick and Foreman Buck of the Vindicator Mine went one night to the sixth level and were blown to pieces. Orchard says he set the bomb by orders, but that it was placed on the wrong level. It was planned to put it on the seventh level and kill fifteen or twenty non-union miners.

An assayer named Merritt Walley was killed by a bomb in Denver. The bomb was intended for Chief-Justice Gabbert. Arthur W. Collins, manager of the Smuggler-Union mine at Telluride, was shot in the back, through the window of his home. Vincent St. John, also a supposed member of the Inner Circle and a leader with Moyer and Haywood and Pettibone, is now in



Frank Steunenberg, ex-Governor of Idaho, who was murdered, it is charged, for Revenge.

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Charles H. Moyer, President of the Western Federation of Miners, on Trial for Implication in the Murder of Steunenberg

jail awaiting trial for that murder. J. W. Barney, a shift boss, was killed near his home. John Mahoney, a non-union miner at Telluride, was shot to death. Martin Gleason, a mine manager at Cripple Creek, outspoken in his advocacy of non-union labor, went to his grave by assassination. Wesley J. Smith of Telluride was kidnapped and murdered. Six other miners were killed mysteriously in Telluride and their bodies disposed of in a lime-kiln. A mining engineer named Bradley was murdered by an explosion in San Francisco while on his honeymoon. Orchard says he did it, as he did most of the others, by orders from Moyer and Haywood.

To establish an alibi for the killing of the nineteen miners at Independence, Orchard left town the day before with a man named Neville. Then he made a pretext for stealing back and killing the men. The next day Neville accused him of the crime. He acknowledged it. Neville had fears of arrest. He went to Nevada. It was feared that he would tell on Orchard. A man named Sapp was hired for \$1600 to poison him and he was put out of the way. So much for the murders that have come to light.

Three attempts were made to kill Governor Peabody of Colorado. Once Orchard says he and Simpkins planted a bomb for him on a street. It was to be touched off by a wire as Mr. Peabody passed the spot. A coal-wagon backed on the wire just as Peabody came along and put it out of working-order. Another time it was planned to shoot him in front of his home at night as he alighted from his carriage. As it happened, only the women of his family were in the carriage, and the Governor escaped. Another time it was planned to decoy him home from a meeting in an automobile and kill him on the way. A man mysteriously warned him one afternoon of this danger, and again he was saved.

Another assassination that failed, as has been indicated, was that planned for Chief-Justice Gabbert. He with Justice Goddard had offended the striking miners by decisions and strictures on the order. He usually crossed a vacant lot on his way to the court chambers. A bomb was planted and a satchel purse, with wires attached, was put on the ground. It was supposed that the chief justice would pick up the satchel and set off the bomb. Judge Gabbert saw a friend near by that morning and joined him instead of crossing the vacant lot. It was the first time in months that he had deviated from his custom. Another man came along, picked up the satchel, and was blown to bits. The explosives in the bomb were so arranged that when the satchel was picked up sulphuric acid would be spilled on them and set them off. Orchard says he set the bomb by orders.

Justice Goddard escaped assassination through the slip of a pin. No one knew anything about it until Orchard confessed. He said a screw-eye would be found in Justice Goddard's gate. Near by, he said, was a bomb. A wire was attached from the screw-eye to a bottle containing sulphuric acid. When the gate was opened, a string was to pull the cork of the bottle and spill

it over 100 giant caps. The bottle was planted five days before the time came to arrange the wire. The acid had eaten the pin, so that when Justice Goddard passed through his gate the pin and not the cork came out.

When Justice Goddard was informed of Orchard's confession he examined his gate and found the screw-eye. Then Adjutant General Bulkley Wells, of Colorado, scratched the earth until he found the wire and pin attached to the cork. Then he scraped the ground with great caution, and found the bomb exactly where Orchard said it was, and exactly of the description Orchard had given.

The plan to kill D. H. Moffat was to drop a bomb from a window as he walked along the street. The plan was foiled by Mr. Moffat's sudden departure for Europe.

The most notable attempt at train-wrecking was on the night of November 14, 1903, when a train carrying Governor Peabody and about 200 men and women to a ball in Victor, Colorado, from Cripple Creek, nearly plunged over the curve on a 300-foot embankment. A rail had been loosened. A friend of the engineer did not want his life lost, and warning was given to him to crawl along that part of the road. He did so, and probably saved a score of lives.

The bomb method was finally used to kill Steunenberg. Orchard had watched his movements in Caldwell for months. Twice he tried to shoot him. One of these times was arranged, with diabolical ingenuity, for Christmas Eve, so as to cause his family the greatest possible suffering. It failed. Then Orchard planted his bomb, and on December 30 last, just before Mr. Steunenberg started for home at six o'clock, Orchard preceded him in the gloom down the street. As he passed the Steunenberg gate he dropped a newspaper, stooped down, adjusted his wires to the bottle of sulphuric acid, and passed on. Steunenberg opened his gate and set off the bomb.

In a short time James McParland arrived. He went to work as a miner, as he had done in the coal regions of Pennsylvania thirty years ago. He is now sixty-two, and for many years has been the head of the Pinkerton forces in the mountain regions of the West, with Denver as headquarters. He adopted his former methods. He soon learned of the Inner Circle and of Orchard's work. When the time came to strike he had Orchard arrested. The man was defiant. McParland had him put in solitary confinement with plenty to eat and with good cigars, but with no reading-matter and not a person with whom he could talk. Several days of this unnerved Orchard. Then McParland came around and said to him:

"This is a nice fix you have got yourself into, Orchard. What do you suppose that old mother of yours back in Pennsylvania will think when she reads about it?"

"What do you know about my mother?" asked Orchard.

"I have known all about you and your family since you were a boy," said McParland, and then he went away abruptly. The



Secretary William D. Haywood, of the Western Federation of Miners, charged with Conspiracy to Assassinate Steunenberg

The following article is taken from Law Notes for November of 1906:

STORIES FROM THE LAW REPORTS: THE LIFE AND DEATH OF A LIE.*

"'Tis strange, but true; for truth is always strange—
Stranger than fiction."

Don Juan, canto XIV., stanza 101.

Not everything was joyful in Merrie England in the days of the Merry Monarch. Every now and then something happened that, if a jest, was at least a grim one. A traveler in Gloucestershire, who was passing along the highway near Campden during the early part of the reign of Charles II., might have seen three lifeless bodies hanging in the air—one of them having been left in chains, in order to appease the vengeance of the dutiful son of a murdered father. Had the traveler made inquiry, he would have heard a strange story of justice done: had he made inquiry again a few years later, he would have heard a stranger story of justice miscarried.

Hanged, for a crime they had not committed, pursuant to a conviction based solely upon the false, contradicted, and uncorroborated confession of one of their number: such was the fate of a mother and her two sons in the year 1661.

Every now and then we hear of an unjust conviction based upon circumstantial evidence, but it isn't often that we hear of a conviction based upon the false confession of the accused—particularly of a conviction resting upon a false confession plus (or minus) lack of proof of the *corpus delicti*. The story of this case, as told in 14 How. St. Tr. 1312, is so remarkable that it is worth retelling.

One day in August, 1660, William Harrison, Gent., the aged steward of the Viscountess Campden, left home to collect his lady's rent. Between eight and nine o'clock of the evening, his wife became alarmed at his failure to return home, and sent their servant, John Perry, to meet him. Neither Harrison nor Perry returned during the night. Early next morning, Harrison's son Edward went in search of his father, and met Perry returning home. Perry told young Harrison that he had not seen his father, whereupon both continued the search for the old gentleman. In the course of their search they found a hat, band, and comb which they knew to be the property of William Harrison, the hat and comb being hacked and cut, and the band bloody. The natural inference from this sinister circumstantial evidence was that the elderly steward had been murdered, so the entire population of the surrounding country—men, women, and children—turned out to hunt for his dead body, but to no avail.

Mrs. Harrison then had John Perry apprehended and taken before a justice of the peace, his failure to return home during the night having caused her to suspect him of having murdered and robbed her husband. Upon his examination before the justice, Perry gave a somewhat detailed account of his movements during the eventful night, and mentioned the names of several persons whom he had met and with whom he had talked while searching for his master. This account was corroborated, so far as it concerned them, by the various persons with whom Perry claimed to have talked.

Nevertheless, it was thought advisable to hold Perry in custody until something more definite concerning Mr. Harrison's fate was learned. On a subsequent examination Perry disclosed nothing more than previously; but later he told several different tales to persons who visited him in prison, telling some that a tinker had killed his master, others that the servant of a neighboring gentleman had robbed and murdered him, and still others that he had been murdered and his body hidden in a bean-rick at Campden. None of these stories could be verified, however.

* This article is one of a series designed to retell faithfully, but in narrative form, stories of real life told in the law reports.

Finally, Perry said that he would tell the justice what he would tell no one else; and, upon being carried before and questioned by that functionary, said that his mother, Joan Perry, and his brother, Richard Perry, had killed and robbed Mr. Harrison. He said that his mother and brother had been importuning him for some time to relieve their poverty by robbing his master, and that on the evening when he was sent to look for Mr. Harrison he met his brother and told him that then was a favorable opportunity to waylay the old gentleman, who probably had a considerable sum of money about his person. According to John Perry's confession, he then parted from his brother, and a little later found his mother and brother standing over his master, who was lying on the ground but still alive. After John Perry came up to the group, Richard Perry strangled the old man, and gave to his mother a bag of money which he had taken out of the dead man's pocket. John Perry then left his mother and brother with the dead body, after they had agreed to throw it into a near-by millpond. He took with him his master's hat, band, and comb, which, after hacking with his knife, he threw down in the highway. Then, after lying down part of the night in a hen-roost and part of the night under a hedge, and meeting and speaking to a couple of people, he started homeward and met Edward Harrison, as before related. Some of his conversations with people who admitted having talked to him occurred after the time at which he said the murder had been committed; and he gave the same account of his movements during the night as at his first examination, adding nothing but the story of the murder. It will be observed that this confession was very circumstantial.

The millpond was dragged, as were also all the fishponds in the neighborhood, but no trace of the body was found. Nevertheless, Joan and Richard Perry were arrested and taken before the justice of the peace, who acquainted them with John's confession and accusation. They strenuously asserted their innocence, and continued to do so after being confronted with John, whom they reproached bitterly for accusing them falsely. John, however, doggedly stuck to his story and affirmed that he would answer for its truth with his life.

About this time two incidents occurred, one of which furnished slight circumstantial corroboration of John's confession, and the other of which probably convinced the superstitious that the confession was true. While the prisoners were being taken on foot from the magistrate's house to the jail, Richard, who was a good distance behind John, pulled a clout from his pocket, and in doing so dropped a ball of inkle. One of the officers picked up this ball, and Richard asked that it be restored to him, saying that it was only his wife's hairlace. The officer, however, opened the ball, and, finding a slip-knot at the end, went forward for the purpose of showing it to John, who was still a good distance ahead and knew nothing of the dropping or the finding. When the inkle was shown to John and he was asked whether he knew it, he shook his head mournfully and said, yea, to his sorrow, for that was the string wherewith his brother had strangled his master.

The next day being Sunday, the prisoners were taken to church, in order that the minister might talk to them with the view of inducing a full confession from all of them and bringing them to a proper state of repentance. On the way to church while Richard's house was being passed, his two children ran out to meet him. He took one child up in his arms and the other by the hand, when all of a sudden the noses of both children began to bleed.

Joan and Richard remained firm in their protestations of innocence. John, however, not only stuck to his confession, but, upon being questioned concerning a mysterious robbery of his master which had taken place some time prior to the

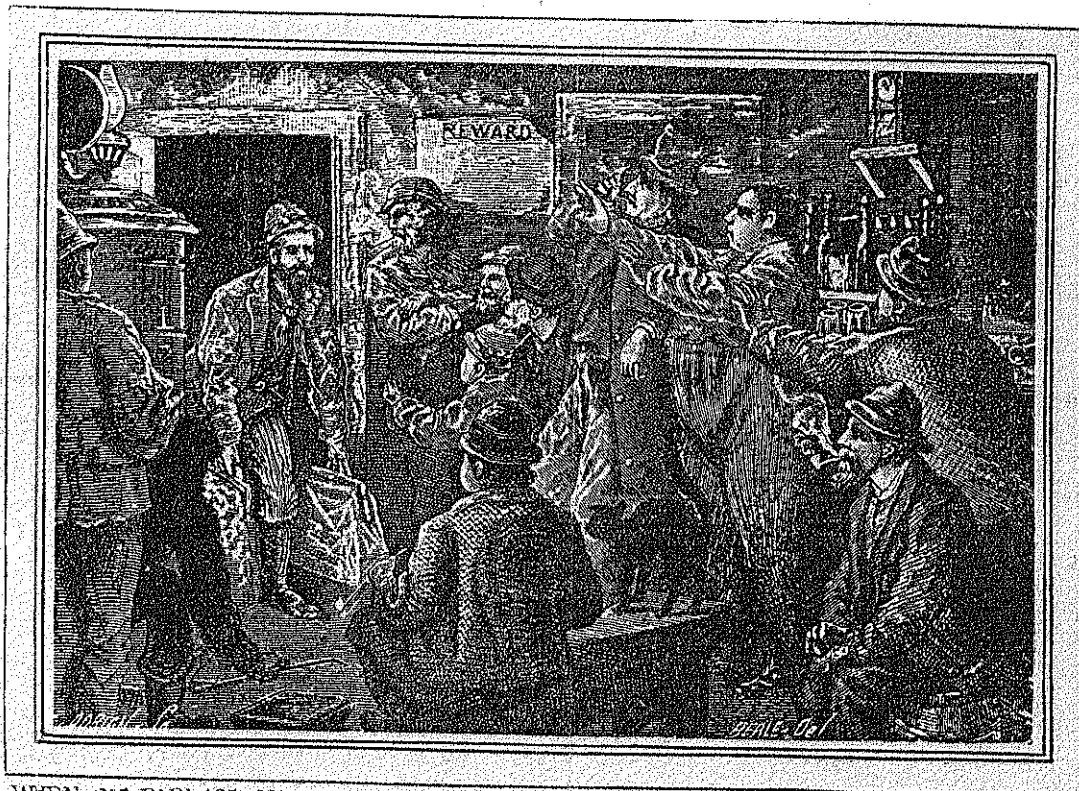
The following article appeared in the St. Louis Post-Dispatch,
on March 25th, 1906:

The Detective who has Outdone Sherlock Holmes

Now M. C. Parlan, Hero of the Famous Molly Maguire Captures, has a Second Time Made a Sensational Success in Running Down the Idaho Murderers — the Greatest Detective Triumph of Recent Times



EX-GOVERNOR
FRANK
STEUNENBERG
OF IDAHO
WHO WAS
BLOWN TO PIECES
by a DYNAMITE
BOMB on DEC. 30TH
1905



WHEN Mc PARLAN JOINED THE MOLLY MAGUIRES (From Molly Maguire)

Before his time because of the excesses that his associations demanded, he looked anything but the keen-eyed, alert, neryy Sherlock Holmes-up-to-date.

Sometimes he reminisced with the curious of the old days when he used to be a detective. He was growing superannuated honorably and care-free, living out life's sunset in the sunshine of Colorado where the Molly Maguires had no terrors for him. This bald-headed, little old man with the jolly, round, red face seemed the last person in the world to care to enter the struggle again. He seemed to be dozing away his declining days.

But he wasn't.

THE NEW MOLLY MAGUIRES

In 1893 the Western Federation of Miners was organized in Butte, Mont. For a long time there had been trouble in the Coeur d'Alene district. There were assassinations and dynamitings regularly. Managers and superintendents lived in fear of their lives. The police were powerless. The militia made a lot of noise but did little to reach the ringleaders.

A cage filled with miners was allowed to drop 1400 feet down the Independence shaft. Fourteen miners were blown to atoms by dynamite at the Independence station, Cripple Creek. And last of them all, on Dec. 30, last, ex-Gov. Frank Steunenberg of Idaho was blown to pieces by dynamite as he was about to enter his home in Caldwell, Idaho, to join his wife and children after his day's labor.

The assassins, seemingly safe, had been reckoning without their Molly Maguire. James McParlan had gone mining again, as he had 30 years ago, and at length got within the mysterious portals of the famous "inner circle." He found out who had done every job, and, it is claimed, traced 26 murders to their principals. And now the chief ringleader, Harry Orchard, has confessed to McParlan. Gov. Goodling of Idaho has announced officially:

"The assassination of former Gov. Steunenberg was the third attempt upon his life made by Harry Orchard. Orchard's confession was made to James McParlan. In that confession Orchard implicated all those now under arrest and others. He told the story of 26 murders, the results of conspiracies in which all the accused parties were interested. When this story is given to the public I believe it will be the greatest narrative of crime which the world has ever known."

A MASTER MIND.

And to look at James McParlan, sexagenarian, nobody would ever guess that his was the master mind that did it all.

To talk with him he is diffident and retiring. He shows the fatigue of weeks of work for sixteen and eighteen hours a day. He looks more like a retired clergyman than a sleuth. He'd be the last man one would pick for a Sherlock Holmes in real life. He is far removed from the general run of beetle-browed sleuths who wear duck-billed shoes and talk in hoarse whispers.

And, thanks to this kindly-faced old gentleman, there have been arrested President Moyer, Secretary Haywood and G. A. Pettibone of the Executive Board of the Federation; warrants are out for the entire board of 13, and the famous "inner circle" of five, the actual murderers, of which Harry Orchard was one.

"We are going to be just as careful as we know how to be with these officials," said McParlan, emphatically, "and we do it for this reason: We want to get those men before a jury of 12 men, carefully and impartially selected, and then we will show the world and all honest laboring men what fiends incarnate these men are—what real enemies of labor."

THE STEUNENBERG MURDER.

Three attempts, it is claimed, were made within a few weeks upon the life of Steunenberg, the two former, for some reason, having proved futile. In the first a bomb, the same one Orchard finally exploded at the Steunenberg home just before the dawn of the new year, was placed at the side of a path used by Steunenberg in going home from the bank of which he was the head. It was fastened in such a manner that anyone passing must, it would seem, trip over a wire and pull off the bomb. But by some interposition of Providence, the feet of Steunenberg were guided over the wire that night, and he passed, all unconscious of his danger, to his waiting wife and children.

Another attempt was made to shoot him through the window of his home on Christmas Eve, while

he was helping his little ones to observe the holiday, but Orchard, who lay in wait with the rifle, could find no opportunity to shoot without including other members of the family in the destruction. He went back to his hotel after hiding the gun and cartridges. These were found after the confession had been made, at the place indicated by Orchard.

"The work of the Molly Maguires in Pennsylvania which I broke up was child's play to the work of the Moyer-Haywood crowd. They have murdered for eight years, but their days are numbered now. I have evidence to hang the entire crowd, and we are going to do it. Harry Orchard has confessed.

"There are certain portions of the confession which I cannot make public at this time, because it would only inform lawyers for the defense the nature of the evidence we have against the gang under arrest—Moyer, Haywood, Pettibone, Vincent St. John and Steve Adams. But there is a confession, and it is full and complete, and straight to the point."

There is a chance, too, that Steve Adams will confess. He was arrested near Haines, Ore., where he was living as Steve Dempsey. If he turns State's evidence, so much the better. But on this subject McParlan was dumb as an oyster.

CONFESSION IS CORROBORATED.

"All Orchard's confession," continued the veteran detective, "has been checked up until there is no doubt of its truth. I myself have chased down the main points, not daring to leave them to my assistants for fear of some slip-up.

"We had to act quickly to get Moyer, president of the Federation. He felt that trouble was brewing and was preparing to leave the country when we finally determined that we had evidence enough to warrant his arrest. He was arrested after he had boarded a train at Denver to go to his old home at Deadwood, S. D. He was preparing to slip the country forever after paying a brief visit to the Black Hills. He never intended returning to the offices of the Federation again."

Orchard's confession to McParlan was a full story of his life from the time he was born in Detroit up to the day he was arrested after, it is claimed, blowing Steunenberg to bits by a dynamite bomb. It is a narrative seldom equaled in criminal annals.

This is a resume of how he went to work to murder Idaho's former Governor, because the man had given offense during his term of office in 1899.

The third attempt, which proved successful, was made on the night of Dec. 30, in accordance with a threatening letter received by Steunenberg only the day before, that he should not be permitted to see the light of another year. The bomb was fastened to the gate that was always used by Steunenberg, and a fishline run around back of a neighbor's barn to pull it off. Orchard lay in the snow with the end of the fishline in his hand, and when his victim had entered the gate, he gave a mighty tug at the string. A moment later he was seen tearing madly across that end of the town in his effort to escape.

But Steunenberg was dead; the job had been a success at last.

WANTS THEM BEFORE A JURY.

"I would not say one thing against the men that is not so," declares McParlan, "because I value my reputation too highly to indulge in that kind of bluster. I am just as careful of the rights and privileges of these men, accused of crime, as I would be of any other. It is highly important, as I said before, that these men be protected in their health and every other way, so that they may be saved to be tried before a jury. For the same reason, I am just as careful of their legal rights—perhaps more so—than their own attorneys."



Mc PARLAN AS HE APPEARED WHEN HE WENT TO WORK AMONG THE IDAHO MINERS

The "inner circle" of the Western Federation was organized in May, 1899, following the dynamiting of the Bunke Hill and Sullivan quartz mill at Wardner in April of the same year, at the time of the annual convention of the Federation in Salt Lake. At that time, and for a number of years after, Ed Boyce was president. He was an unscrupulous man, but exceedingly shrewd, and he did not allow this secret organization of dynamiters to gain control of the Federation. But after he retired, the dynamite element gained more and more control, until the conservatives—by far the more numerous—had been crowded to the rear of the stage.

Most of the crimes of the Federation officials—of the present officials, who have been at the head of the "inner circle" since it attained such prominence in the affairs of the Federation—have been committed in Colorado, but not all. That is probably because nearly all the trouble of the Federation in recent years has been centered in the mines of that State.

THESE WERE MARKED MEN.

Former Gov. James H. Feabody of Colorado, who was at the head of his State when the trouble arose there in 1901, as Steunenberg was in Idaho in 1899, was on the list of men to be assassinated, and attempt after attempt has been made at various times to take his life, all so far without avail.

Chief Justice William H. Gabbert of the Colorado Supreme Court, who dared to decide a case of law against the wishes of the "inner circle," is also, it is claimed, under the ban, and on one or more occasions has escaped death by the most trivial circumstances.

The name of former Justice Luther M. Goddard, who recently declared he "had been lying in the shadow of death for 18 months," and from whose yard there has been dug up in the place told by Orchard a dynamite bomb, since the confession was made, is also on the list. John Campbell, still another former Justice of the Supreme Court of Colorado, is there, too.

The confession of Orchard, in addition to telling of the danger that has surrounded these men for years, also gives the history of attempts that have been made against their lives and those of others. It tells of the explosion of dynamite that wrecked the Independence depot at Cripple Creek on June 6, 1904, and cost the lives of 14 miners. It recites the details of the assassination of Manager Arthur Collins, a genial man who gave offense to none, because of troubles with the Smuggler-Union mine of which he was the active head, at Telluride. The other crimes and attempted crimes fill the 104 pages of typewritten matter full to the brim with recitals that take one back to the Middle Ages, if he tries to conceive of the barbarity of the master brains that planned it all.

But McParlan's hand has ended it.



HARRY ORCHARD WHO'D CONFESSED HIS CONNECTION WAS SECURED BY DETECTIVE McPARLAN AND USED AS THE BASIS OF EVIDENCE AGAINST MOYER AND OTHERS.

194

Federation Officials Indicted.

Special Telegram to the Appeal to Reason.

Boise, Idaho, March 10.—Moyer, Haywood, Pettibone indicted on three counts yesterday at Caldwell for murder of Steunenberg. Each count worded differently, showing skillful preparation. Brought back to Boise to personally hear arguments before supreme court in habeas corpus proceedings. The prosecuting attorney, Hawley, sought to strike out Richardson's reference to methods employed in bringing prisoners to Idaho. Defense objected and arguments followed. Court will decide motion Monday 10 a. m. Richardson's logic invincible, profound impression in court room. "Prisoners are here; what are you going to do about it?" sums up Hawley's argument. Defense now

investigating status quo in Caldwell regarding forthcoming trial. May take change of venue. It is clearly a frame-up in Caldwell to convict and execute prisoners. L. J. Simpkins is also indicted; Orchard and Adams not indicted. These two men boast they will be released and probably will as reward. Judge Smith, at Richardson's instigation, orders more privileges for federation men. They have hertofore been treated as condemned criminals. Sentiment of Boise people for fair trial; work people in sympathy with federation men. Union men ready to spend last dollar for defense. Daily Morning Statesman against defense; afternoon paper neutral. G. H. SHOAF.

McPARTLAND'S KANSAS RECORD.

Continued from First Page.

punishment through the skillful assistance of his partners in crime.

In the spring of 1885 one of those spasmodic efforts was made in Parsons to enforce the Kansas prohibitory law. McLaughlin was arrested and convicted of violation of the Kansas liquor law. He appealed to the supreme court, which approved the findings of the lower court, and on April 7, 1886, he was committed to the Labette County jail at Oswego, until such time as his fine and costs should be paid.

At this time one Frank P. Meyers was confined in the same jail on the charge of horse-stealing; and two brothers, Frank and George Davis, were prisoners awaiting trial for selling liquor without government license. Meyers and McLaughlin became chummy with the result that Meyers soon learned much of the unwritten history of the "Grand Central." Meyers learned so much about McLaughlin and his gang, that he insisted as the price of secrecy upon the Grand Central people saving him in case a sentence should be passed upon him.

McLaughlin's case was settled in some way so that he was released from confinement and soon after there was a wholesale jail delivery in which all the prisoners escaped. They were all re-captured with the exception of Meyers, who voluntarily returned and gave himself up; and confident in the ability of McLaughlin to rescue him at any time necessary, made his boast that he didn't have to run.

Again on the night of July 6th all the prisoners escaped. This time Meyers did not voluntarily return, but was captured at Vinita, Indian Territory, and brought back by the officers.

The Murder of Meyers.

ON the night of August 5th, 1885, McLaughlin and Wash. Bercaw, another of the Grand Central fraternity, drove down from Parsons to Oswego; and, either by bribing the jailer, Chas. E. Wooden, as some claim Wooden confessed on his deathbed, or, by use of keys made from patterns secured while McLaughlin was in jail, they took Meyers out of jail and to the Grand Central, at Parsons, where he was strangled and his body afterwards thrown into the Neosho river.

Meyers' body was found some time afterwards by boys swimming in the river near Oswego; but the cause of his death remained a mystery owing to the theory inspired by McLaughlin and pals that Meyers had broken jail and had drowned in an attempt to swim the river. This was soon disproved by the expert testimony at the inquest of physicians who examined Meyers' body and found no water in the lungs or anything to indicate death by drowning, but much to prove that Meyers had died before his body had been placed in the river.

During all the excitement attendant upon the discovery of the body and the inquest, the Grand Central aggregation kept in the background and would not have been seriously suspected had it not been for the vigilance of the murdered man's wife. Mrs. Meyers had all this time been searching diligently for a clue to the untangling of the mystery and the fixing of the crime upon the guilty party.

One day in the February following the murder she saw a coat upon Frank Goultry, who drove a bus for the Grand Central. Mrs. Meyers recognized the coat as her husband's because of repairs she had made on the binding. When she questioned

Goultry as to where he had got the coat, he acknowledged that he had received the coat from McLaughlin.

This discovery put Mrs. Meyers on the right track and she soon secured enough evidence to warrant the arrest of Jacob McLaughlin and Washington Bercaw.

The Preliminary Trial.

THE preliminary trial of McLaughlin and Bercaw was held at Oswego before Justices C. T. Bridgeman and C. M. Monroe; and the two Davis boys testified positively at this trial that McLaughlin and Bercaw had taken Meyers from the jail on the night of August 5th, and that McLaughlin had come to their cells and threatened them with death if they ever told.

This evidence was sufficient upon which to hold the defendants and they were both bound over to the district court.

Bribery.

NOW comes the place where McPartland's fine hand is shown in defeating justice and bringing ruin to an honored attorney as well as making perjurers out of the Davis brothers.

It is a well known fact, attested by such eminent attorneys as Judge W. B. Glass and Hon. Albert A. Osgood, now residing in Parsons, that McPartland was busy in behalf of McLaughlin and everything shows that McPartland arranged for the payment of two hundred dollars to the Davis boys on condition that they should so change their evidence in the coming trial as to clear McLaughlin and Bercaw.

When the case came to trial in the district court, George Davis denied the truthfulness of his evidence at the preliminary and stated that McLaughlin and Bercaw had nothing to do with taking Meyers from the jail.

The lawyers for the state subjected Davis to a severe examination under which he broke down and acknowledged that he and his brother had been hired to reverse their own former testimony.

McPartland Kept Out of Sight.

IN all these transactions McPartland was shrewd enough to keep under cover, leaving the odium of his dirty work to be borne by others. It seems to be one of his requirements in doing work of this character that he is not to be called as a witness or his name disclosed in connection with such cases.

As a result, the reaction that came when the fact of bribery was established did not touch McPartland but the punishment fell upon the Davis brothers, both of whom were sentenced for five years in the penitentiary for perjury, and upon E. C. Ward, attorney for McLaughlin, who was disbarred, disgraced, robbed of his standing in the community and who died a physical wreck in the national military home near Leavenworth, Kansas.

Archives

University of Colorado
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Such Is the Work of McPartland.

It is popularly supposed by the many who have not learned better by sad experience that the Pinkerton Detective Agency is an organization of men both shrewd and brave who are tireless trackers of criminals and strong supporters of law and order.

When the facts in this case are considered, the reader will, no doubt, form other conclusions as to the character and work of McPartland. That he is shrewd there can be no question. None but a shrewd and cunning adept in crime could have saved McLaughlin from punishment for this and many other crimes committed while McPartland was with him; and nothing but the cunning of such a character could have so skillfully shifted the responsibility for the bribing of the Davis brothers from himself to an attorney who had bore a spotless reputation through fifteen years practice at the Labette county bar.

That McPartland was brave may be conceded if we have in mind the quality of bravery that prompts the wolf to approach the unguarded fold under cover of darkness. That he is a tireless tracker of criminals may also be true in connection with the fact that he is even more active in saving criminals from the consequence of their misdeeds when a fee is to be earned by so doing or his own complicity in crime covered over.

If the enforcement of law and the well-being of society depends upon the work of such as McPartland, well may the honest men and women of America despair in the conviction that men have lost their reason and judgment has fled to brutish beasts.

The following article appeared in the Appeal to Reason on April 28th, 1906:

Appeal to Reason, Girard, Ka

ACK
EARFUL FORCE

With Awful Array of Facts
Industry of
als.

AND-FOLD MURDERER

Startling Affidavit of Former
Superintendent Concerning
the Shocking Methods Em-
ployed Is Followed by At-

JAMES McPARTLAND:
A Free Hand Drawing.

"He hears a voice none else may hear,
It bids his burning spirit pause--
It bids the murderer appear
Where angels plead the victims' cause!"

Many inquiring readers of the Appeal evince much interest in the personality of that arch-conspirator, James McPartland. Why not? Some persons are curious even as to the character of the devil, which, were it described in the terms necessary truthfully to portray this creature McPartland, would give His Nethermost Nibs ample grounds for a libel suit.

With McPartland's early history of conscienceless crime and black betrayal, of his association with the "Molly Maguires" when he planned and perpetrated crimes that sent twenty poor fellows to the gallows on perjured testimony and placed the Pennsylvania miners at the complete mercy of masters who knew no mercy—with these things Appeal readers are fully familiar through previous publications. Regarding his later record they also are fairly well informed through the same agency.

These revelations of almost incredible inhumanity have created a very natural desire to know somewhat of the personality of such a moral monstrosity. In the first place, let us be just. We should not disparage McPartland as a detective. He is admittedly a good detective—an excellent detective. Moreover, his methods are commendably thorough. He is such a good detective—such an excellent detective—that he can discover crime where none exists. Otherwise, when a crime is desired and lacking, he will, with admirable ability, supply the deficiency by committing the crime himself. Then, he is so thorough that he will personally provide testimony of any required character or amount, perjury being one of the professional accomplishments in which he especially excels.

As a rule, a man's character can be pretty accurately gauged by the esteem in which he is held at home. How, then, is McPartland regarded in Denver, where he is best known? I will tell you. He is a social outcast, a hopeless pariah, whose condition would inspire pity were the man at least half human. He is passed on the street without a sign of recognition. Decent men shun him like a leper, and even those corporation criminals whose tool he is tolerate his presence only when they have need of his services, and then they accept the enforced association in the same manner that they would swallow a noxious pill. You have read about the "Man Without a Country?" Well, his fate was a happy one compared to that of this "man without a comrade." Residing in a metropolis whose citizens are noted for their genial natures and frank fellowship, he yet is socially as isolated as was "Robinson Crusoe" in his island home.

With the bearing of a brute and the visage of a vulture, his hands befouled with blood, venomous as a viper, a beastly snarl on his forbidding lips, he stalks the streets a thing unclean, hated by all and companioned only by the haunting memories of his dark misdeeds.

McPartland is a degenerate whose particular perversion is the shedding of human blood—and to gratify his idiosyncrasy to the greatest extent the blood should be that of an innocent person. The alienists can best explain this characteristic.

The picture is not a pleasant one, and no normal-minded man can find aught of pleasure in the depiction.

To describe adequately the character of this hell-harpy is a task most difficult—and one quite beyond my own puny powers. Not until I essayed it did I realize the exiguity of the English language. The lexicon will have to be greatly amplified before complete success can attend such an attempt.

Were the world's supply of emetic poured down the hot throat of hell, the ultimate imp of the last vile vomit would be an exchequer in good standing.

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The following article appeared in the Appeal to Reason on May

26th, 1906:

"GOOD GOD! WE DID NOT MEAN TO KILL ANYONE!"

Thus Exclaimed Gen. Frank M. Reardon, of the Mine Owners' Association, on the Morning Following the Independence Depot Explosion.

SHOAF TO CRIPPLE CREEK IN DISGUISE.

He Discovers Confirmatory Evidence to Support the Repeated Statements Made in the Appeal During the Past Two Years that the Mine Owners Are Responsible for the Blowing Up of the Depot Which Resulted in the Murder of Thirteen Men.

BY GEORGE H. SHOAF,
Staff Correspondent Appeal to Reason.

CRIPPLE CREEK, Colo., May 17. — Intimately associated with the Steunenberg assassination, which occurred in Caldwell, Idaho, December 30, 1905, and inseparably connected with it so far as the guilt of the parties responsible for both outrages is concerned, is the terrible explosion of the Florence and Cripple Creek depot, which took place in the town of Independence, in the Cripple Creek district of Colorado, on the morning of June 6, 1904. Beyond the question of a doubt the persons who instigated the Independence depot explosion are also the parties who fathered the conspiracy to assassinate ex-Governor Frank Steunenberg, of Idaho. The same motives which impelled the one are likewise the motives which prompted the other. If it was to the interest of the Western Federation of Miners to pull off the explosion, and it can be shown that they did it, then it was to the interest of that organization to remove Frank Steunenberg from the pathway of life, and its responsibility for that foul murder can be as easily established. But if, on the other hand, it can be proved by incident and circumstance and argument and fact that the Mine Owners' association is directly and absolutely responsible for the Independence explosion, and that it alone was the garner thereby, then it follows as the day the night that that infamous combination of red-handed buccaneers was the factor, and the only factor, responsible for the Idaho assassination.

Same Men Responsible for Both Crimes.
Reason as we may, it is impossible to escape this conclusion: *The men who hurled thirteen scab miners into eternity with dynamite from the platform of the Independence depot are the men who plotted and perpetrated the murder of ex-Governor Steunenberg.* The further I investigate into the circumstances surrounding each of these affairs the more firmly am I impressed with the truth of the proposition. It is not prejudice against the Mine Owners' association that provokes this statement; it is the facts of the situation as I find them.

To my mind the work of laying bare the conspiracy of the Independence explosion is just as important and necessary as getting at the truth of the Steunenberg affair. When the conspirators in the first outrage are uncovered and placed in the limelight it will be unnecessary to dig deeper to unearth the assassins of Steunenberg. Until within the last few weeks there has never been an effort made by anybody to find out and apprehend the men guilty of blowing up the Independence depot. Instead, it has been the steady and determined purpose of the Cripple Creek authorities to prevent an investigation into that outrage. And yet practically every person in the Cripple Creek district today knows and can name the parties who schemed the conspiracy and laid the trap that fired the dynamite!

Bluffer Bell's Boast Called.

It will be remembered by readers of this paper that I arrived in Cripple Creek, as special correspondent of the APPEAL TO REASON, on the identical morning of the depot explosion nearly two years ago. I was with Sherman Bell and his uniformed hirelings during the succeeding six weeks of mob law, terrorism and military deportations. In my articles in the APPEAL at that time it will be remembered that I charged the Mine Owners' association with the direct responsibility of that awful crime. And this charge was made in the face of the widely advertised statement of Sherman Bell when he announced:

"I have undisputed evidence in my possession which will lead to the conviction of a number of union men for the murder of the non-union miners who were killed in the Independence explosion. We have between thirty-five and forty men in the bull-pen who will swing for this crime. We are only waiting to capture two or three more men before telling what our evidence is."

Attention is here called to the significant fact that though every union miner in the district was captured and thrown into the bull-pen, and that the state had at its command every resource with which to gather evidence to bring about the conviction of the suspects, yet, when the cases of the men came up for consideration, every one of them were dismissed and the men given their liberty.

The day following the explosion the people of the district knew who was responsible for it, and in smothered tones and subdued accents named the Mine Owners' association as the guilty party. Today the people entertain the same opinions they held two years ago, though they are compelled to discuss the matter as clandestinely as they did when the district was under martial law.

McPartland's Brother's Story.

Before coming to the district to engage in this recent investigation I stopped at Manitou, near Colorado Springs, to

see E. L. McPartland, the brother of James McPartland, of the Pinkerton Detective agency. The Manitou brother is a shoemaker by trade and conducts a shop in the little mountain city. He resided in Victor nearly ten years prior to the introduction of martial law, and was among the several hundred miners deported to the plains of Kansas. He was running a shoe shop at the time of his arrest, and did most of the work for the Federation men.

"I was taken completely unawares when they came and got me," said Mr. McPartland, in discussing his arrest. "I was sitting in my shop selling a shoe, with my leather apron on, when James Warford, a customer, and several men with rifles, entered. I knew Warford very well and did not anticipate his actions. Quicker than a flash he crossed the room, and, seizing me by the shoulders, gave me a mighty lurch forward that threw me into the middle of the floor. At the same time he commanded me to get up and throw up my hands. Refusing, he and his companions jumped on me, whereupon they beat and kicked me almost into insensibility. After a while I was ordered up and away to the bull-pen. Because I persistently refused to hold my hands above my head I was struck over the back and shoulders with the club end of their guns with almost every step I took. The beating administered at that time affected my kidneys and I have never been the same man since.

"Not only was I deported, but the contents of my shop were destroyed and stolen. When I finally located in Manitou I had to replenish my stock anew and buy new tools. I have never been back to the district, but I am going to visit Canyon City in the near future. James Warford, the 'law-and-order' deputy who arrested me in that brutal manner, is now serving a life sentence in the penitentiary for murder, and I am going down there to take a look at him as he sits caged behind the bars."

"Mr. McPartland," I inquired, after the relation of his deportation experience, "do you believe that Moyer, Haywood and Pettibone had anything to do with the assassination of ex-Governor Steunenberg?"

"I do not," replied the shoemaker with emphasis.

"Do you believe that they planned the Independence explosion?"

"I do not."

"In the depth of your heart, who do you believe was responsible for that explosion?"

"Well, there were many involved," responded the brother of the celebrated Pinkerton chief, "but I can name you one man, who, if you can get him to talk, and he will tell you the truth, will put you next to all the inside facts of the affair."

"Who is that?" I inquired.

"Nelson Franklin, manager of the Eagle Sampler," he replied without hesitation.

Nelson Franklin, he it remembered, is a prominent member of the Mine Owners' association and an intimate friend of A. E. Carlton, the president of the organization.

McPartland Believes Federation Men Innocent.

Carrying the conversation further, I asked him all about his family, and particularly about his brother James. He said that he had not seen or communicated with the great Pinkerton for more than six years and knew very little about him. With reference to Moyer and Haywood, he said:

"Haywood is a big-brained, great-hearted fellow and would no more stoop to crime than he would assault the citadel of heaven. Instead of being radical and ferocious, I always thought that Moyer was entirely too conservative. He used to exercise my patience by his appeals for peace and conservatism. I knew him well and he is not a man who would engage in assassinations and brute force. He was entirely too lenient to suit me, for I have always believed that had the Federation been more strenuous and acted with more promptitude and dispatch at certain moments during the strike it would have won the battle. Those men are not guilty of the crime with which they are charged."

In addition to the man named by Mr. McPartland, I am going to give the list of all the men—conspirators and executioners—who planned and pulled off the Independence explosion. Most of them were mentioned in the APPEAL two years ago. They have been charged with that explosion repeatedly in my correspondence during the last two months. They are the men whom, by unanimous consent, the people of the district hold responsible for the crime. The stigma of that terrible holocaust of murder rests upon these men, and will continue to rest upon them in the public mind of the West until they have proven their innocence before the bar of justice.

"Had Colorado a state administration disposed to inquire into the Independence explosion," declared Attorney Frank J. Haugs, of Cripple Creek, "a half dozen or more of these men would be jailed immediately and hung for that crime. Were it possible to get a court to stick I would undertake, with the information now in my possession, to prosecute several big mining men in this district for the explosion. Murder will out, and some day somebody is going to squeal, and when that squeal comes there will be an explosion in this state beside which the Independence affair will sink into utter insignificance."

The Names of the Conspirators.

Here are the men responsible for the Independence explosion. Con them well. Let their names sink into the inner consciousness of every member of the working class:

- A. E. CARLTON, president of the Mine Owners' association, and principal owner of the Findley and Shurliff mines.
- NELSON FRANKLIN, manager of the Eagle Sample.
- A. T. HOLMAN, superintendent of the Golden Circle.
- W. M. RAINBRIDGE, superintendent of the El Paso.
- L. E. HILL, secretary of the Golden Circle.
- C. C. HAMLIN, former secretary of the Mine Owners' association, and now district attorney.
- S. D. CRUMP, retaining attorney of the Mine Owners' association.
- GEORGE FRANK M. REARDON, postmaster of Victor.
- L. W. SPERD, mine broker in Cripple Creek.
- EDWARD BELL, Sheriff of the district.
- E. C. NEWCOMB, cashier of the First National Bank.
- HARRY MOORE, captain of militia, and Victor groceryman.
- C. H. McKinney, Tom Brown, K. C. Sterling, D. C. Scott, Tom Underwood, Al Bemore, Kid Waters, Frank Vanneck, T. S. Moore, James A. Warford and Jack Allen.

These last eleven men were hired thugs and gun men, had prison records, and acted as detectives and spies for the Mine Owners' association. Kid Waters died recently under suspicious circumstances; McKinney and Sterling have disappeared mysteriously from the district; Jack Allen, it is said, is lying somewhere at the bottom of some deserted mine shaft; Frank Vanneck, upon being pardoned by ex-Governor Peabody, was given a job of guard at the El Paso mine, where he can be found today; James A. Warford is serving a life sentence for murder in Canyon City; Tom Brown should be serving a similar sentence for the same crime, but instead is running a saloon in Goldfield; L. S. Moore, who served fourteen years for raping a fourteen-year-old girl, was paroled for participating in the Independence explosion and is now conducting a saloon in Denver; Tom Underwood, who disappeared from Cripple Creek shortly

after the explosion, returned recently, when notified that the coast was clear, and is now deputy under Sheriff Bell; Al Bemore, to whose house the bloodhounds ran after leaving the scene of the explosion, and D. C. Scott, are still living in the district, the proteges of the Mine Owners' association.

Colorado Officials Implicated

Besides these men, there are several others commonly associated with them and who are believed to have guilty knowledge of the crime, as follows: Governor A. E. McDonald, ex-Governor James Peabody, Pinkerton Detective James McPartland, Adjutant General Bulkeley Wells, former Adjutant General Sherman Bell, and Floyd Thompson, present secretary of the Mine Owners' association.

Though the story of the explosion has been told many times in the APPEAL and through the Socialist press, still, for the sake of clearness, I shall risk a brief repetition. It is important that all the incidents of the affair, and the circumstances surrounding it, be thoroughly grasped and understood in order that the responsibility for the crime can be definitely fixed. When all the known facts of the case are laid before the reader it will not be difficult to trace the explosion to its source.

At 2:27 o'clock on the morning of June 6, 1904, while train No. 21, of the F & C. C. Railway company, was pulling into the station at Independence a terrific explosion occurred beneath the platform, blowing it to pieces and instantly killing thirteen non-union miners who were standing on it waiting to board the approaching train. James Dooner, engineer, and H. H. Abrams, fireman, occupied the cab, with E. G. Weston, conductor, and H. H. Stevenson, brakeman, in charge of the train. There was just one passenger aboard when the explosion occurred—E. G. Cleverdon, a miner, who got on the train at Vista Grande.

The Engineer's Story.

When asked to tell what he knew about the explosion Engineer James Dooner said:

"I left Cripple Creek at 1:30 a. m., Monday, to go to Vista Grande. Arrived at Vista Grande and picked one man up at the station there, and didn't make another stop until about 75 feet from the platform at Independence. Before we made that stop, 125 or 130 feet from the depot, the explosion took place. I was slowing up at the time to make the stop. We stopped about 75 feet from the depot and some men run up and informed us that the depot was blown up. We lit some torches and asked some of the men to go down and see what the trouble was. We went down and found some debris on the track, and one dead body. We removed that to one side. We picked up what wounded men we could find, and went to the Victor depot. We got a telephone message there that there were some more wounded men, four of them. The dispatcher gave orders to go back to Independence and get these wounded men. We took the coroner up there and several officers of the law, I think. We got one wounded man there, and picked up the dead—thirteen in all—and returned to Victor; stayed about thirty minutes and then came to Cripple Creek."

When asked why he came to a stop 75 feet from the platform Mr. Dooner said:

"The fireman told me that there was something wrong, and I was about stopped anyway. I saw the flash of the explosion, and so loud was the sound that I thought it was a powder house or magazine. About the time I was ready to stop some one signaled the fireman to stop. At that moment the explosion occurred. The men who came running to the engine I judge were miners working on the Findley mine."

As It Appeared to the Conductor.

E. G. Weston, conductor, in telling the story, said:

"I was due at Independence at 2:27 on the suburban train that brings the miners from that locality, and when we were somewhere in the neighborhood of 125 or 130 feet from the depot I heard an explosion. It knocked me off my seat, and I supposed it was a powder house or magazine or something of the kind. First I heard rocks coming down on the cars, and then I heard something softer. After everything settled I went out and met the engineer between the tank of the engine and the head car, and I asked, 'Jimmie, what is the trouble?' He said, 'They've blown up the depot.' I said, 'You don't mean to tell me that they have blown up the depot with all those men on there?' 'That is just what they have done,' he replied.

"Well, we started out with torches and lanterns, and the sight we saw was something terrible."

Questioned in detail, Mr. Weston asked:

"Does the railroad company ever keep any explosives around the depot?"

"No, that depot had no station agent, and was practically dismantled."

"So the explosive must have been placed beneath the platform by outside parties?"

"Well, it looked that way."

"No one had access to the depot so they could store anything there?"

"No."

"They could not store anything in the basement?"

"There was no basement; it was open ground under the platform."

"Was it light at the time of the explosion?"

"It was very dark."

"Was it customary for persons to loaf around the depot at night?"

"I never saw men standing around there at night."

"Just miners rushing down to catch the train?"

"The miners come down on the run and most always stand there a moment merely, but this night they were late, and only part of them got down."

"Ordinarily, how many men do you take on there, on this particular train?"

"We have been getting for Cripple Creek from fifteen to seventeen men; for Victor from twenty-four to twenty-seven; and for Goldfield from four to seven. They vary, you understand, on account of sickness, change-shifts, etc."

"Do you mean that all these men got on at Independence, so that ordinarily you might expect there would be fifty or more men waiting there to take the train?"

"Yes; some of them were late; I have already told you that I went up to the Findley mine, called up my superior officer, told him of the accident and when I got back the men were still coming down from the mine."

The information obtained from the fireman and brakeman was practically the same given by the engineer and conductor.

When day dawned it was discovered that the powder charge, causing the explosion, had been fired by a revolver, to the trigger of which a wire was attached. This wire ran away from the platform down a side-track about 250 feet to the Delmonico dump. Here the end of the wire was found tied to a chair round. In precipitating the explosion the chair round was grasped and jerked. This pulled the wire which fired the revolver at the other end. The exploded pistol set off the giant powder.

Found Remains of Internal Machine.

E. G. Cleverdon, the passenger, was the man who found the wire and the chair round. In telling of the find, he said:

"I live in Independence, and was about ready to get off the train when the explosion occurred. After viewing

Later in the day Harry McGary, director of the Golden Cycle, in response to a question, vehemently announced that the perpetrators of the explosion would never be discovered. When Ed-ward Holland, one of the men injured in the explosion, asked Nelson Franklin why the Mine Owners' association did not emulate the Western Federation of Miners by offering a reward for the capture of the dynamiter, he replied that it might prompt dirty work on the part of the detectives—that the detectives might spring a trap by which innocent men would be hung for the crime. The Western Federation of Miners offered a \$5,000 reward for the capture of the independence assassins; the Mine Owners' association offered not a word.

Shortly after that James Warford and Tom Brown were ordered by their boss, Harry McGary, I. E. Hill and A. J. Mahan, to get this man Miller, they got Miller and Ike Lebo in front of an election booth in Goldfield, Miss. Miller was less than 120 feet away at the time of the shooting. Warford killed one of the men and Brown killed the other. The victims were given no opportunity to defend themselves. Warford was sentenced to a life term in the penitentiary for the performance, while Brown was released unconditionally. District Attorney Hamlin to the information papers against Brown charging him with murder, but the Hamlin refuses to do Brown in a weaker man than Warford and Hamlin is afraid the man would squeal were the charges preferred. He is today running a saloon in Goldfield, and his experience of late is one prolonged debauch. Less than a month ago he was heard to say that he could make the Mine Owners' association pay him \$80,000 any day he desired. It is predicted by people in the district that unless Brown ceases bragging about the independence affair he will come up missing some bright morning. Warford is taking his imprisonment lightly, as he declares that the Mine Owners' association is promised to secure him a part in the near future.

That Chris Miller was in possession of evidence implicating members of the Mine Owners' association is further known from the fact that four days after his incarceration in the bull-pen Sherman Bell came to him with a ticket for Denver, released him, gave him expense money and told him to hence forth keep away from the district. In an explanation of thirty days, and the opportunity that presented itself he was killed. When James Warford was given the life sentence, despite the backing of the mine owners, Carlton was overheard to say that the jury should have been sent to the penitentiary instead of Warford.

Now, the situation as it existed prior to the explosion will be reviewed. It was well known that the mine owners were depressed because of their inability to union the union and with the strike. The Federation men were triumphant and the Mine Owners' association would capitulate almost any day. The union men were receiving their strike benefits

admittedly instigated and committed by the Mine Owners' association, formerly failed to disrupt the union or stop the strike. Peace reigned throughout the district and an order had been issued for the withdrawal of the remaining troops. The mine owners saw that unless some thing desperate were done they would be compelled to submit to the Western Federation.

As has been asked heretofore, of what benefit would it be to the union to participate such an outrage as the independence explosion? To ask that question is to answer it. There could be absolutely no benefit to the union. On the other hand, it was vitally necessary to the Mine Owners' association that some terrific catastrophe should occur. In his latter-day confessions Harry Orchard declares that he is the man who touched off the explosion. He claims that he and Mr. Neville left independent Springs. He says that in the middle of the night of the explosion in a light spring wagon, headed toward Colorado Springs. He says that in the middle of the night he left his companion on the pretext of remaining for his pistol, and that he went direct to independence, blew up the depot, and ran back to the wagon. It happens, however, that these two men were accompanied on this occasional journey by the young son of Mr. Neville. This young man upon hearing of the Orchard confession gave him a very little that night and that he slept it the next day stating that he slept very little that night and that he is positive Harry Orchard never let the camp. He made this statement several weeks ago to certain people in Cripple Creek, and shortly afterwards disappeared. His friends are anxious to discover his whereabouts. It is not to be missed by Cripple Creek residents that the young man has not long since the hands of the Mine Owners' association.

The Men Directly Responsible

It is not impossible that Orchard was implicated in the independence outrage, but it is unlikely. Sheriff Bell after the Stearnsberg assassination, announced that he knew all along that Harry Orchard was the man who pulled the wire and that he was not on his trail at the time of the arrest. It is strange that Bell did not go to Denver during the summer of 1904 and get his man. Orchard having around Federation headquarters several weeks after the deportations and could have been apprehended very easily. Evidently in view of all the facts in the case, that Orchard was Pinkerton in the employ of McArthur and the Mine Owners' association, but that he was reserved for work other than the independence affair. The nature of the explosion, the situation of the scene and amount of powder used, stated the implication of several men—and the men who carried the powder from the Lindstrom machine, stood it off at G. H. McKinney, K. C. Stoenberg, D. C. Vennock, I. S. Krook, A. B. Brown, D. C. Scott, James A. Warford, Tom Brown, Tom Underwood, Dick Allen and K. J. The men were seen the night before in and around the saloons of Goldfield. These men were seen the night before in and around the saloons of Goldfield. These men were seen the night before in and around the saloons of Goldfield.

Since then General Heardon has been under constant surveillance by the Mine Owners' association, and to strengthen his nerves, he has been given practically everything in the district he has asked for, from the explosion uttered by General Heardon many have inferred that murder was not intended when the depot was blown up.

This opinion was given further weight when it was discovered that A. D. Carl-son, the night manager of the Shurtloft mine, held his men back a few minutes before releasing them for their run to the fated depot, but that he failed to make telephone connection with the Kinley mine. It will be remembered that it was the men from the Kinley mine who met their death at the pit-lane in arriving. The Shurtloft miners were told and that the Shurtloft miners were told to account for it. It was this at the time it was given and were un-themselves, noted the order to stay back.

Others in the district, however, hold the opinion that murder was intended in the explosion. They argue that take weeks and bloodless explosions had been tried repeatedly and that they had failed to depopulate the conditions necessary to depopulate the union miners. Some with certainty was necessary to meet the purpose of the Mine Owners' association.

Well, at least this latest outrage will be investigated and taken into account, removed a certain citizen to K. C. Sterling, shortly after the explosion. "Like hell we will take this into account," exclaimed Sterling, with a burst of anger.

Standing is suspected of being the man who stood on the hillside to give the signal of the team's approach. His partner, C. H. McKinney, is the man whom every one in the district accused of pulling the wire that fired the explosion. They were both detected and gun men employed by the Mine Owners' association, both cohabited with the same woman, and both have masterfully disappeared. The woman in question was slain in Pueblo in the summer of 1904, and it is popularly supposed that she was killed because she knew too much about the true facts of the explosion.

The night before the explosion the atmosphere was charged with excitement. Union men with whom I have been talking declared that everybody was expecting some great calamity, and to avoid possible danger they went home early and stayed there. Sub miners who survived the disaster said they would reprehensible last some tragedy would occur. Mrs. Jack Allen, wife of the thing and gun man, remarked early next morning to Mrs. McClure that her husband was out all night—a circumstance almost unheard of in their little family. Chris Miller, a union miner, went home about 11 o'clock that night, and on going the things and gun men in the district seemed to be collected in the saloons and nervous, as if they were planning to commit some desperate job. It was Miller and Mike O'Connell, the city marshal of Victor, who witnessed the incriminating conversation induced in the saloon. O'Connell was mysteriously murdered in Denver several months later, and Chris Miller was shot down in cold blood by James Warford, November 8, 1904.

When Miller returned home upon receiving the news of O'Connell's death he said to his wife:

"They got poor Mike before he got a chance to tell what he knew, but I will tell it for him."

The Fate of Men "Who Knew"

Shortly after that James Warford and Tom Brown were ordered by their boss, Harry McGary, I. E. Hill and A. J. Mahan, to get this man Miller, they got Miller and Ike Lebo in front of an election booth in Goldfield, Miss. Miller was less than 120 feet away at the time of the shooting. Warford killed one of the men and Brown killed the other. The victims were given no opportunity to defend themselves. Warford was sentenced to a life term in the penitentiary for the performance, while Brown was released unconditionally. District Attorney Hamlin to the information papers against Brown charging him with murder, but the Hamlin refuses to do Brown in a weaker man than Warford and Hamlin is afraid the man would squeal were the charges preferred. He is today running a saloon in Goldfield, and his experience of late is one prolonged debauch. Less than a month ago he was heard to say that he could make the Mine Owners' association pay him \$80,000 any day he desired. It is predicted by people in the district that unless Brown ceases bragging about the independence affair he will come up missing some bright morning. Warford is taking his imprisonment lightly, as he declares that the Mine Owners' association is promised to secure him a part in the near future.

That Chris Miller was in possession of evidence implicating members of the Mine Owners' association is further known from the fact that four days after his incarceration in the bull-pen Sherman Bell came to him with a ticket for Denver, released him, gave him expense money and told him to hence forth keep away from the district. In an explanation of thirty days, and the opportunity that presented itself he was killed. When James Warford was given the life sentence, despite the backing of the mine owners, Carlton was overheard to say that the jury should have been sent to the penitentiary instead of Warford.

Why has the Mine Owners' association blocked all inquiries into the details of that explosion, and to the present moment successfully prevented an investigation? Why have several of the weaker and more pliable things and gun men disappeared and been murdered? Why did Judge Huff refuse to permit Kid Waters to make a statement before he died of dropsy? Why does an investigator take his life in his hands when he goes into the Cripple Creek district to inquire into the facts of the explosion? BECAUSE THE MINE OWNERS AS A SOCIATION INSTIGATED THE EXPLOSION, COMMANDED ITS GUN MEN AND THUGS TO PERPETRATE THE EXPLOSION IS THE ONLY BODY THAT BENEFITED BY THE EXPLOSION AND IS ABSOLUTELY AND SOLELY RESPONSIBLE FOR THE EXPLOSION.

"Seek whom the crime will benefit" is the old French maxim, and you have discovered the perpetrators of that crime. Will it be doubted that men who would deliberately murder thirteen each miners to give unionism out of the Cripple Creek district would hesitate to assassinate or order the assassination of ex-Governor Steunberger, particularly if thereby it were thought that the act would result in the disruption and destruction of the Western Federation of Miners? But the destruction of the Western Federation is not the only motive behind the Steunberger assassination. The only lives of the men known to charge with the responsibility of the independence explosion, or upon some other equally as infamous. The lives of these men depend upon their preventing an investigation into the explosion. Were the republican party elected in Colorado, and a governor elected pledged to investigate the independence outrage, A. J. Carlson and his associates would be compelled to either stand trial for the crime, or else escape and wander over the face of the earth feigning from the face of Frank Steunberger was murdered to furnish an issue with which the republican politicians might go before the people this fall. They expect to hang Moyer, Haywood and Pettibone for the crime and then point to themselves as paragons of political purity and virtue and ask of the people a re-election. Why Moyer and Haywood are doomed. Only recently a prominent state politician, whose office is in the state capital building in Denver, told me that more than one republican politician of Colorado informed him and emphasized the necessity of the fact that Moyer, Haywood and Pettibone must be convicted at all costs, if the republican party is to win the election this fall.

Such are the reasons upon investigation, why I believe that the Mine Owners' association is responsible for the independence explosion, and why I believe the inner circle of the organization is also responsible for the Steunberger assassination. The men who participated the first committed the second and with the Federation of Miners, daily the red handed combination to come into it, fair and impartial court and meet the charges.

A Few Pertinent Questions.

With the relation of the foregoing facts and circumstances a few pertinent questions might not be entirely out of place at this time.

Why were union miners conspicuously absent from the scene of the explosion, both on the day preceding and day succeeding the attack?

Why were the things and gun men so conspicuously present, and what prompted them to program the guilt of the members of the Western Federation?

How came President Carlson and his fellow mine owners to get so quickly to the depot, and why were they so carefully guarded? To see that the place was properly guarded?

Why were not Dick Carr's blood hounds used, and why were the canyon City dogs called off when they persisted in staying around Al Barnard's cabin and around the Vindicator powder house?

What was the notice behind Carlson's telephone message to his manager at the Shurtoff mine?

Why were the gun men concentrated in the saloons in Goldfield the night of the explosion?

Why did Harry McGarry vehemently announce that the perpetrators of the explosion would never be discovered?

Why was Nelson Franklin afraid to offer a reward for the apprehension of the dynamitards?

How come General Beardon to express himself so passionately when he heard of the explosion?

Why were the regularly elected law officers of the district deposed and tools of the Mine Owners' association given their places?

Why was the regular coroner unseated?

Why was the evidence introduced for another man?

In the face of the evidence introduced why did the subsidized jury return such an absolutely worded verdict as was rendered at the inquest?

Wasn't that verdict framed up for the sole purpose of misleading the public and branding the people of the district against the Western Federation of Miners?

Why did the Western Federation of Miners offer a \$5,000 reward for the apprehension of the man or men responsible for the explosion, and the Mine Owners' association address no reward?

Why were the union men, and every person who doubted that it was union men who precipitated the explosion, deported from the district?

Why were Moyer, Haywood and the members of the Executive Board arrested and placed under a \$10,000 bond, each charged with instigating the Victor riot, when neither of the arrested men were within a hundred miles of the place?

Was not the grand stand, wholesale arrest made purely for the purpose of dispersing the organization before the people of the United States?

Why were the cases of these men brought to trial?

Why did not Sherman Bell produce the evidence he boasted would swing between Harry Love and forty union miners for the independence horror?

Why were the cases of these men not processed and never brought to trial?

Why has the Mine Owners' association redoubly and consistently prevented a trial of any kind that might lead to an investigation of the explosion?

The following article appeared in the Appeal to Reason on
October 13th, 1906:

MURDER CONSPIRACIES ARE LAID BARE AT LAST!

*Sherman Bell's Orderly Makes Affidavit Ex-
posing the Bloody Crimes of the Mine
Owners' Association in Conjunction With
Conscienceless Public Officials.*

MOST AMAZING ATROCITIES OF MODERN TIMES

*Wholesale Slaughter Was Committed in Independence Depot
Explosion and Mine Shaft Was Made Into a Shambles in
Diabolical Plot to Destroy the Western Federation of
Miners.*

The following astounding document contains the personal and indisputable testimony of a man who possessed the absolute confidence of the persons whom he accuses of crime. Sergeant Baldwin, who, of his own free will and accord, makes these statements, was the private orderly in constant attendance upon Adjutant General Sherman Bell, and he went through the Cripple Creek strike when that district was under martial law. What he tells here is the truth, and it corroborates in every detail my former story concerning the Independence depot explosion.

I was very well acquainted with Sergeant Baldwin during the strike in Cripple Creek, and now recall and can understand several transactions which took place two years ago, which at the time of their occurrence were inexplicable. Sergeant Baldwin declares he is telling the truth, and I know that he is telling the truth. Moreover, he is ready to go on the witness stand any time he is called upon, to repeat by word of mouth that to which he here makes affidavit.

For the present Baldwin is in charge of Attorneys Frank J. Hays and E. R. Richardson, of the Western Federation of Miners, to whom he will make regular reports until the accused members of the Mine Owners' association are arrested and brought to trial.

No trial can be had, however, so long as present conditions endure in Colorado. The Mine Owners' association owns and controls the courts, and there can be no process of justice in this state until there is a change in the administration of government. The attorneys for the Western Federation of Miners hang all their hopes of convicting Carleton, Franklin, Holman et al. solely upon the election of William D. Haywood. He is the only one of the four candidates now before the people who can not be bought by the Mine Owners' association.

G. H. SHOAR.

State of Colorado,

City and County of Denver—ss.

Claude C. Baldwin, being first duly sworn, upon oath deposes and says: That he makes this affidavit voluntarily, and that no person has used any influence of any nature whatsoever to get him to make this affidavit, and that all the things stated in this affidavit are true of affiant's own knowledge; that during the month of November, 1903, and after said time, Harry Orchard, who was also using the name of Tom Hogan, was in the employ

204
Archives
University of Colorado
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of the Cripple Creek Mining Operators' association, and was reporting regularly to the military forces stationed at Victor, Colorado, during that time; that this affiant saw the said Tom Hogan on the 14th day of November, 1903, and heard him make his report for that day.

That just prior to the breaking of the cable and killing of fifteen men on Stratton's Independence mine on the 26th day of January, 1904, this affiant, together with Mr. Travelle, H. G. Moore, A. T. Holman, S. D. Crump and Nelson Franklin, met in the house of the said Travelle, and during the conversation it was stated that something must be done to break the force of the strike then being carried on by the Western Federation of Miners. It was then suggested that the shaft house be blown up; but, after some conversation, it was agreed that that would entail too large a cost. Afterwards it was agreed that some person should be selected who would, by use of acid, weaken the cable used on the hoist in said mine, and that one Frank Gelisse was to be used as engineer at the proper time, and that he was to be instructed to let the cage run up to the shive wheel, and thus break the weakened cable and drop the cage to the bottom of the mine. At this meeting it was agreed that this was to be done without killing any of the men. A few days later it was done, but fifteen men were killed.

A few days prior to the 22d of November, 1903, there was a meeting at which it was agreed that Harry Waters and H. F. Guyton were to "pull off" a premature explosion in the Vindicator mine. That could not well be done during the daytime unless near the hour of four o'clock, so it was finally agreed that an explosion should occur on the sixth level at some time when the cage was lowered. It was agreed that a wire was to be stretched across the shaft and the lowering of the cage should set off the explosion. The powder was placed in position and a Colt's revolver bearing the United States stamp was so fixed that the wire would "pull off" the revolver and the revolver explode the powder. Jack Bowman was approached about this matter, but from all I could learn the price offered was too small, and Bowman declined to carry out the matter. On the night of November 22, 1903, after the explosion had occurred and killed Beck and McCormack, I had a conversation at the Vindicator mine with Frank Woods and Sherman Bell and A. T. Holman, and they said that the wire had been stretched across the shaft and that Beck and McCormack, not knowing that the thing was in place, went down on the cage, and the explosion followed, killing them. I saw the revolver which had been used to cause the explosion, and know it was a United States weapon. Afterwards, another weapon was substituted, a little bull-dog revolver. The parties who fixed the explosives in place were to leave the mine through a tunnel level connecting therewith.

That on or about the 30th day of May, A. D. 1904, at the Brown Palace hotel in Denver, a meeting was held, at which I was present, between S. D. Crump, A. T. Holman, Mr. Copeland, A. E. Carleton, H. G. Moore and Nelson Franklin. In the conversation it was said that something had to be done, as no success had been made towards breaking the strike. It was first proposed to blow up the F. & C. C. depot in Victor, but some of the parties objected to that, and finally it was agreed that the Independence depot at Independence station should be blown up; for the reason that it was an old, abandoned depot, and the cost would not be much; and furthermore that Independence and Altman were the hoped of the W. F. of M. members at that time. It was agreed that when the depot was blown up the explosion was to be charged to the Western Federation of Miners. Some of the parties asked who would be the proper persons to have charge of this explosion, and Messrs. Copeland and Franklin stated that they would answer for Harry Waters and H. F. Guyton doing the job. It was agreed that the explosion should be "pulled off" just after the train left the depot, and that care was to be taken so no one would be killed.

105

On June 8th, 1904, I heard Franklin and Campbell talking together and say that it was too bad that the men were killed at the Independence station, and they said that the men who "pulled it off" must have been drunk.

Before going down to Dummville, Naylor, Waters, Guyton and others were sent ahead, and were to station themselves in the hills, and when the armed force came down they were to begin firing as rapidly as possible to give the impression that the miners were firing upon our armed force. A telegram was sent under agreement, from near Dummville, stating the miners were there with a large armed force. This was done to have an excuse for going down there. When the armed force arrived—and I was present with that armed force—the firing in the hills occurred as pre-arranged, and as soon as we began firing these men, who had been sent down on horseback, immediately returned to Victor so as to be there before we got back. The John Carly, who was killed at that time was deliberately murdered, and I know the name of the man who fired the shot, and will at some future time make his identity known. These things were done through orders issued from military headquarters.

On the 12th of June, 1904, a proposition was made to me at the military club in Victor by Nelson Franklin and Eros E. McCelland to go to Empire Creek and murder Attorney Frank J. Hange, of the W. H. I. I was told that if I did the job I would lose nothing by it. "We will look out for you," was the remark of Mr. Franklin. The next day I was told by the same parties to go to the office of the said Frank J. Hange, and I found him seated at his desk, to hit him over the head with my gun, and if he even raised his hand to ward off a blow to shoot him and they would stand by me. I refused to carry out their instructions, but did go to his office and meet him. Nelson Franklin, Thomas E. McCelland and O. P. Hanford were on the sidewalk on Bennett avenue, Empire Creek, when McCelland told me to go up to Hange's office and beat his head off.

Some time between the 13th and 19th of June, 1904, it was agreed by members of the Mine Owners and Operators Ass'n. that the military guards should be withdrawn from the hill in Victor where there were a large number of Western Federation of Miners members confined, and the hill was to be set on fire, and gun men were to be placed around the building in such a manner that they could shoot the men as they came down stairs to escape being burned up. This plan was made at military headquarters, and Harry G. Moore and A. T. Hoffman were the principal advisors.

At about the time that Moyer was brought from Rehrside to appear before the supreme court, Sherman Bell told me he had positive assurance that the supreme court would back up any and all the acts of the Peabody administration.

During the morning of June 6th, Sherman Bell was called to the home of the State House in Denver by some person (Cripple Creek, and in my presence made these remarks over the phone: "How many were killed?" "Well, during the commission of all these crimes, and the planning of crimes which were not committed, it was freely talked among the parties advising the commission of said crimes that it was fully understood with Clarence Hanlin, the secretary of the Mine Owners' Association, that these things should be done and that he was acting with and through in some part with all of the miners, although we claimed by these people. All of the matters which I have stated herein are true to the best of my personal knowledge. I occupied a position of responsibility and was trusted and relied upon by these men, and I am fully aware of the same."

Subsequent and sworn to before me this 27th day of September, 1904, A. D. 1904, My commission expires April 30, 1905.

JOHN D. HANFORD, Notary Public.

206

116

Certainly if there ever was a case with special circumstances attendant upon it, we are now confronted with such a case.

The only ground of escape lies within the power of the court to put us to a writ of error in case of a conviction.

Content of Vindication.

We believe that that power lay exclusively with the federal court of Idaho as it would have lain with this court, if the original application had been made here. In any event the appeal does not present that question. The decision appealed from was one which quashed the writ and remanded the prisoner to custody, based on the motion and the demurrer. The circuit court of Idaho did not attempt to exercise the discretion, which it might have claimed, to have waited until a final determination on the merits of the case by the courts of the state of Idaho. The majority of the law, the authority of the national constitution and the enactment of congress require vindication in these cases at the hands of this court, and conditionally relying upon such vindication, we submit this case.

* * * * *

We ask and we believe that the action of the supreme court of the state of Idaho and of the circuit court of the United States, sitting in and for the state of Idaho, will be reversed, and that they will be directed to sustain the writs and direct the release of the prisoners with an opportunity to them of returning to the state from which they were kidnapped by the conspiracy, confederation and agreement of the government of the states of Idaho and Colorado, acting in conjunction with each other for the overthrow and in avoidance of a provision of the constitution of the United States, and an act of congress made pursuant thereto.

Respectfully submitted,
JOHN H. MURPHY,
CLARENCE S. DARROW,
EDMUND F. RICHARDSON,
Counsel for Appellants and Plaintiffs in Error

217

Mr. Hugo Palmer, 501 State Street, Trinidad, Colorado, was telegraphed on the morning of June 6th, 1904, to Independence by the special train. He did so and after arriving at the station and giving the dog the scent of the chair round and wire started off down through the cabins to the Vindicator mine. Then straight to the pump station where Blizard told him that Sterling had telephoned him to pull the dogs off, that they were on a false trail. Palmer replied that he was working for Newcomb, Cashier of the First National Bank of Cripple Creek and was not working for Sterling, and continued the trail to a school house where apparently a light spring wagon with new tires had taken the person trailed in. His dog was a blood hound and had trailed many men before June 6th, 1904.

C. W. King of 410 Mason Avenue, Canon City, Colorado, was telephoned to on the morning of June 6th, 1904, by some representative of the Mine Owners' Association to bring his dog to Independence. A special train was sent for them. They arrived at Independence about 4 o'clock on the afternoon of June 6th and after having been given the scent of the chair round and wire started off down among the cabins and went around and into a particular cabin. While in the cabin they scented all around the room and after coming out went down around the Vindicator mine. Mr. King thinking that some innocent man would be tracked by the dogs pulled them off and took them home. He says that the dogs are bloodhounds and have tracked and caught twelve different men prior to June 6th, 1904. He will come to Idaho.

913

John Dennis, Miners' Union, Goldfield, Nevada, member of 40 Cripple Creek Miners' Union and he saw Charles Beckman attend Unions 40, 32 and 19 Cripple Creek; in November, 1903, while sitting in the union meeting immediately after the killing of Beck and McCormack at the Vindicator mine ~~he heard Beckman say to him "Let's make a good job of it and blow up the mine."~~ Dennis also heard Floyd Thompson, a member of 40, in a union meeting say that "He did not believe in peace but believed in doing something."

talks.

Get Peabody. He never mentioned Meyer, Haywood or Pettibone in these weeks ago as he wanted Mullaney to go down to Canon City and help him informed Mullaney that he had wished he had seen him (Mullaney) two to get that son of a bitch Steunenberg while up there. Orchard also he was going to stop over. He also informed Mullaney that he would like same timber land and spoke of an anarchist colony near Seattle, where on the street and told him that he was going up in Idaho to take up Afterwards in Denver in September, 1905, Orchard saw Mullaney Hercules mine for \$400.00.

had forced him to leave the country and sell his interest in the compared with the Bull Pen in the Cour d'Alene; that Steunenberg bitch than Peabody ever was; that the Bull Pen in Victor was nothing Miners' Union Hall in Victor that Steunenberg was a bigger son of a time during September, 1903, Orchard said to Mullaney in front of the member of Bull Hill Union No. 9. He knew Orchard very well and some Paddy Mullaney, Miners' Union Hall, Goldfield, Nevada, was a

Charles Ferry, member of 32 Cripple Creek, and now a member of the Miners' Union at Goldfield, Nevada, knew the aforementioned Beckman well and on various occasions heard him advocate violence. Some time in September, 1903, he heard Beckman offer to leave ^{and go} again to blow up the El Paso mine. John Brogan of Batavia, Nevada, heard the same thing. Also Ben Beatty of Aspen, Colorado, and ^{Alte} Alte Paul, of Red Mountain, Colorado. A. W. Lanterman of Miners' Union Hall, Goldfield, Nevada heard the same thing.

B. F. Betz, Miners' Union Hall, Goldfield, Nevada, was thrown in the bull pen at the same time as was Floyd Thompson. While in the bull pen Thompson said "It was too god damn quiet and the union men ought to do something."

James H. Beebe, address unknown, Tom Roster, Bisbee, Arizona and Frank Corgan of Canon City knows Beckman, Thompson and Orchard well.

J. A. Cody, Miners' Union Hall, Goldfield, Nevada, was told by ^{Alte} Alte Paul, Secretary of the Cripple Creek Union some time in the latter part of 1903 to look out for Orchard that they suspicioned him.

Thomas McManus, Miners' Union Hall, Goldfield, Nevada, was deputised by Marshal O'Connell of Victor, Colorado, on June 6th, 1904, as a special policeman along with 92 other union men. Mayor French of Victor dismissed O'Connell from the marshalship and Sheriff Bell dismissed the deputies. Bell wanted the deputies to give up their arms but he would not ask the citizens to do so. The deputies went

915

but wasn't needed

Best known but wasn't needed

Mrs. Henderson, at whose house Sterling roomed, is now married to Mr. W. H. Fitzhugh at Eastgate, Nevada. As I would have had to go 75 miles by stage to reach her at a cost of \$150.00, I decided to send the picture of Orchard to her with a letter from Bill Davis, telling her that Mrs. King and her daughter would testify that the man whose picture I sent visited Sterling at her house five or six times and asked Mrs. Fitzhugh if she could testify to the same fact from the picture. I also wrote to J. M. O'Brien, Secretary of the union at Batavia, Nevada, to go and see her.

up in Union Hall and McManus then came down to see if they could surrender to the militia who had surrounded the hall but the militia would not let them. While talking to the militiamen he was shot in the hip. After the surrender of the Union men McManus was taken to the hospital and Dr. Elliott wanted him to acknowledge the fact that the Federation blew up the depot. Dr. Elliott also told McManus that he would have to give up the Federation or go to jail. He would not give up the Federation so he spent three weeks in jail upon the charge "Exciting a riot."

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9/16/16

Witness as to death of Stenmenberg at Caldwell.

R. H. BRAMBLETT:

of Stenmenberg.

Physician in attendance at Caldwell after the death

DR. J. W. GUE:

(6)

after the death of Stenmenberg.

Of Caldwell. Will testify only to events occurring

C. F. WAYNE:

(1)

Sheriff of Shoshone County. Has been found in view

ANGUS SUTHERLAND:

(33)

217

Lives at Caldwell. Knows of events after the death.
There was a bank account of the Boulder

J. A. BAKER:

death.

Lives at Caldwell. Knows only of events after the

A. D. GRIMES:

after the death.

Lives at Caldwell. Will testify as to occurrences

W. H. SCHENK:

one of the first on the scene after the explosion.

Caldwell. Lives opposite Steunberger's house and was

MRS. A. MARTIN:

218

nothing except what occurred after the death.
Brother of the deceased. Lives at Caldwell. Knows

JULIAN STERNBERG;

(6)

death.
An attorney at Caldwell. Knows of events after the

JOHN C. RICE;

(5)

Lives at Caldwell. Knows of events after the death.

CLINTON WOODS;

Lives at Caldwell. Knows of events after the death.

MRS. J. C. SMITH;

019

A detective and deputy sheriff residing in Denver, and
was one of the officers who arrested the defendants
on the 17th day of February, 1906.

THOMAS BAIRD:

Lives at Caldwell. Runs a boarding house and Orchard
had a room there at one time.

MRS. S. ELLIS:

(17)

Of Caldwell. Knows nothing about the affair except
after the death of Steunenberg.

W. W. KEBBEL:

Ex Sheriff of Canyon County. Lives at Caldwell. Was
active in the arrest of Orchard and knows about the
papers which were found on Orchard's person.

JAP. NICHOLS:

006

JOHN HELLMAN:

Hawley says, a Colorado man; probably will not be subpoenaed.

OTIS CUSTELLER:

A Denver policeman; probably will not be subpoenaed.

PEARL MOORE:

(17)

Believed to live in Denver, and is supposed to have been an inmate of Guerin's rooming house. *Check in Reg. or M. O. Div. Denver, P.O.*

LEONARD DELUW:

A detective and deputy sheriff residing in Denver, and was one of the officers who arrested the defendants on the 17th day of February, 1906.

100

Conductor for the Florence & Cripple Creek Railroad.

JOHN JONES:

Detective at Cripple Creek. One of the head men for the Mine Owners' Association. He drew his pay from the Florence and Cripple Creek Railroad company, but was engaged in all of the troubles in the Cripple Creek District. *Should examine with him now a good deal to make a man.*

D. C. SCOTT:

Hawley says, a Colorado man and probably will not be subpoenaed. *Agree* says that he is a gambler from Cheyenne; that he is now here in Boise; that he is supposed to furnish some testimony with respect to moneys exhibited and spent by Orchard and Neville on or about the 12th day of June, 1904, in Harry Hynes' gambling place.

CHARLES JOHNSON:

24x

999

MRS. STEVE ADAMS:

STEVE ADAMS:

Sheriff of Ouray County, Colorado. *New our quality*
on 8. 2. 9.

MAURICE CORRELL:

Assistant secretary Mine Owners' Association of Cripple
Creek. There is another Brown having the same initials
who is a discharged soldier in the Cripple Creek Dis-
trict and who is a disreputable fellow. He was one of
the strikebreakers.

C. H. BROWN:

923

Denver.

Wife of the man who was blown up on the vacant lot in

MRS. MURRIER WATLEY:

probably not put in an appearance.
men who made an affidavit for us. If so he will
orderly under General Bell. Supposed to be the same

CHARLES BALDWIN: *Baldwin man who was blown up*

(94)

Secretary Mine Owners' Association.

C. C. HAMLIN:

A salesman in a store in Denver. Probably not coming.

WM. A. UIMBER:

ED. BOYCE:

1924

Adjutant General State of Colorado.
About meeting in Mountain office
with Major General Chase.

BUCKLEY WELLS:

This man lives in Glenwood Springs. He formerly
lived on Court Place, and according to the newspapers,
Petibone is said to have bought some material from
him with which to construct bombs.

C. F. ROACH:

35

Hawley says a Victor or Denver man; he does not know.

ALBERT WOLF:

President of the Federal Mining Company owning the
Bunker Hill and Sullivan mine.

CHARLES SWENNEY:

995

Pocetello man.

O. S. SMITH:

Hawley don't know him, and probably not subpoenaed.
says he is a bartender in the Cripple
Greek district. *John Mullen from Denver.*

J. H. CLARK:

Should be Paddy Mulkeney. Is not subpoenaed and
State does not expect him. He was deported and is
now in Goldfield, Nevada, and is a witness for us.

PATRICK MULROONEY:

Hawley says, of Cripple Creek and don't expect him.

R. C. LAVIGNE:

996

Pocatello man but now lives in Montana and says he
will not be here.

CON RYAN:

Pocatello man.

DAN O'MARA:

Pocatello man.

GEORGE MCCONKEY:

Pocatello man.

THOMAS MCCONKEY:

227

Stenographer to McFarland who took parts at least of
Orchard's and Adams confessions.

A. B. HOPKINS:

Hawley says lives near Denver; probably not
subpoenaed. *Common law*

MRS. LIZZIE C. ADAMS:

Mine owner at Cripple Creek. All around S.O.B.

A. E. GARTTON:

Ordinary Colonel in the Colorado National Guard.

MISS CORA OR JESSIE PEARODY:

36x

*Please investigation
about Aug. 24:05 with Reader original
by [unclear]*

Ex-governor of Colorado.

JAMES H. PEARODY:

34x

The following article appeared in the Idaho Daily Statesman
March 28th, 1906:

STEVE ADAMS SEEKS TO PROVE HIS CONFESSION

Goes With Party to Pocatello to Dig Up Explosives Buried Three Years Ago.

LOCATES THE PLACE WITH LITTLE TROUBLE

MANY CHANGES OCCUR, HOWEVER, AND PRELIMINARY SEARCH IS FRUITLESS.

Ground Will Be Gone Over Thoroughly Today and If Stuff Is There It Will Be Found—Though Disappointed in Not Finding the Stuff Sought for the Officers Find Much Evidence to Corroborate the Story Told by the Prisoner—Five Bottles of Death-Dealing Fluid Meant for Non-Union Miners Hid Away After Would-Be Assassin Had Failed to Locate His Intended Victims.

(Special Dispatch.)

POCATELLO, March 27.—Steve Adams held in the state penitentiary on a charge in connection with the murder of ex-Governor Frank Steunenberg, arrived here today in charge of Warden Whitney, Guard Robbins and Detective Thiele accompanied by James McParland, Governor Gooding, Thomas Hunter of the Denver Post, and H. L. Crane of The Statesman, for the purpose of pointing out the location of the place where, late in the summer of 1903, he buried five bottles of a terrible explosive which he calls "Hellfire" or "Pettibone dope." The spot was located in an old sheet iron building in the eastern extremity of the town, now used as a horse stable, but which at the time Adams was here was a deserted mill and a sort of a rendezvous for hoboes, being near the railway tracks.

To Destroy Non-Union Miners.

In his confession recently made to McParland, Adams, among other things, confessed that he had been sent to this town by order of officials of the inner circle of the Western Federation of Miners for the purpose of intercepting a train on which was a car filled with non-union miners being taken from the Coeur d'Alene district to Cripple Creek, Colo., where a strike was on. Adams' mission, according to the confession, was to wait here with these bottles filled with this terrible fluid and when the car arrived to throw the bottles through the windows.

The terrible nature of the contents of the bottles would be to at once set the interior of the car in flames and there would have been little or no chance of any of the occupants escaping with their lives.

Provisionally it was impossible, on account of a tie-up on the Oregon Short Line, to get the train through this way and the car of miners went on to Colorado by another route.

Terrible Fluid Hidden.

Adams had the fluid in two quart bottles and three smaller bottles in a telescope grip. When he learned the job could not be carried out he decided to hide the bottles. This he did by taking them to the old mill, placing them in a huge tin can, packing dirt about them and putting the can in a sort of trench made by the removal of a large beam upon which the mill machinery had formerly rested. He covered the can with dirt and ashes.

Mill Located.

Owing to changes here and length of time which had elapsed since, Adams was some time in locating the old mill. The mill is now used as a horse stable by the builder and owner, J. C. Weeter, and is changed somewhat in appearance. Weeter was hunted up and opened the stable. It was found that all the former trenches in the dirt floor had been filled up and the changes made it impossible for Adams to locate just where he buried the bottles.

Grip Found.

Weeter, on being questioned by the governor, remembered finding an old telescope grip back of the mill where Adams had left it. Work was begun with spades and pitchforks to clean away and dig for the bottles.

Finally there was unearthed a ground-glass stopper which Adams claims was exactly like those used in the smaller bottles, also a rusted and burned tin can containing a burned and charred substance in the bottom. Other miscellaneous digging failed to bring to light the bottles. The stopper and can were found near together and it is possible that the liquid in the bottles may have leaked out and set an underground fire, melting the bottles. Adams says that in exploding the preparation in the bottles would have made no noise nor when buried underground would it have made an upheaval. It is believed, however, that the buried instruments of death have not yet been found.

At 6 o'clock work was practically postponed until tomorrow morning, when a systematized search will be started and if necessary the whole floor space of the building will be dug up for a depth of two feet.

Story Believed to Be Straight.

The description of the place by Adams in his confession and its close tally with what has been found here, together with the testimony of Weeter about finding the telescope grip and Adams' action here already are proof positive in the minds of James McParland, Governor Gooding and others who witnessed the work today that Adams is in dead earnest and has told a straight story. He worked hard this afternoon with a shovel and other tools trying to locate the place.

Adams was in fine spirits today on the way from Boise here. He laughed, joked and chatted with the persons who composed the party making the trip of exploration and it is not thought that any passenger who may have seen him with the party ever dreamed that the quiet, light-eyed boy who seemed so jolly and carefree was the man whose confession is said to be the most incriminating evidence against the officials of the Western Federation of Miners and who, by his own words, has incriminated himself in scores of attempts at horrible murders and other atrocities.

Downcast Over Failure.

Tonight Adams appears downcast. He seems to feel that his inability to locate the buried bottles reflects upon the truth of his confession, but not so in the minds of those who are making up this party of investigation. All of the party that started from Boise this morning, except Governor Gooding, will remain over until tomorrow noon at least. The governor returns to Boise tonight on account of the illness of his son.

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181

J. W. DALEY:

Connected with Orchard in the purchase of the Virginia rooming house property in Telluride.

MARK TONY:

Orchard's stepson.

H. F. CARY:

Superintendent of Pinkerton's Detective Agency at Denver.

A. HOLMES:

Hawley says, not subpoenaed, don't know. _____
says he thinks this name should be Otto Holmes.
Otto Holmes is a strikebreaker on the Vindicator
mine.

228.

R. J. HANLON:

Ex-secretary of Silver City Miners' Union.

JAMES GOODWIN:

Now of Nevada; formerly a Silver City man; not subpoenaed and won't be here.

E. W. SCHUBERT:

Manager Idanha Hotel.

JOHN JOHNSON:

Hawley says, a sheep man who lives here in Boise.

~~XXXXXXXX~~

STEPHEN DEMPSEY:

Ex proprietor of Pacific Hotel in Boise, where Orchard roomed at one time.

9*

999.

MRS. STEPHEN DEMPSEY:

Wife of above.

E. B. WHITNEY:

Probably meant for E. L. Whitney, warden of peni-
tentiary.

HARRY CRANE:

Reporter on the Idaho Statesman.

S. C. THIELE:

Superintendent of Pinkerton's agency at Spokane.

10x J. M. BRUNZELL:

Proprietor of the Grand hotel at Nampa.

230.

W. H. THORPE:

Present sheriff of Canyon County.

31/x

H.
A. NAYLOR:

This should probably be H. A. Naylor. Chief of Police at Victor and one of the gun men who were active at deportations, holding at that time the office of Major in the militia.

WM. SHEEHAN:

Hawley says probably not subpoenaed. Rogers says this man is a master mechanic on the Vindicator mine.

CHARLEY NEVILLE:

Son of H. J. Neville; ~~it~~ left Cripple Creek with Harry Orchard and his father.

231

A. M. SHATTUCK:

Hawley says Victor or Telluride.

MRS. JOHN G. GUERIN:

Hawley says not expected or subpoenaed. She ran the Belmont rooming house in Denver where the deportees were maintained. See conversation which she had with Hawkins.

GEO. C. HUEBNER:

Stenographer, bookkeeper, notary public and general affidavit man, Idaho penitentiary.

J. W. DARLEY:

401

G. W. RICH:

Hawley says Pocatello.

Guard at Pen.

237.

A. L. ARNOLD:

Secretary Mine Owners' Association of Cripple Creek at present.

93
CLARENCE L. HARRAH:

Hawley says probably not subpoenaed or important; don't know him. Colorado City?

GEO. SCHOOLCRAFT:

Scab miner and gun man from Cripple Creek, and knows something of some guns being sent in there. Member of No. 19. at one time. A high grader.

E. T. STEWART:

Cripple Creek. Supposed to be the son of the man who was beaten up and whose name hereinafter appears.

233.

84

JAMES RUSSELL:

Hawley says probably not subpoenaed; don't know him. *Daunt, Calif.*

17x

L. J. BOWMAN:

Might be J. L. Bowman of Silver City. *Hawley says Caldwell*

MRS. MYRTLE SMITH:

Hawley says probably Colorado. *Sater says Caldwell.*

121x

Guy Feight:

Hawley says, probably lives in Colorado. Our dope is that he is a transfer man at Nampa.

LOTTIE DAY:

Supposed to be an inmate of the Belmont rooming house in Denver and later went to Cripple Creek and kept a bagnio. Hawley does not expect her.

234.

THOMAS M. STEWART:

Supposed to be the old man who was beaten up in Cripple Creek shortly after the declaration of the strike in 1903.

 JOHN CONNORS:

Hotel man at Silver City, subpoenaed to produce his register.

W. B. EASTERLY:

"Silent Bill".

FRED MILLER:

Attorney for the defense.

235.

ROBERT MELDRUM:

Ex partner of Tom Horn who was hung for murder in Wyoming; appointed a gun man at Telluride by Mine Owners' Association on account of his record and is at present deputy sheriff of San Miguel County, or else Marshal of Telluride. *Killed Oscar Thistle at Liberty Bell mine.*

JAMES McPARLAND:

ARCHIE PHILLIPS:

MRS. ARCHIE PHILLIPS:

Wife of above.

236.

ARCHIE STEVENSON:

Bum politician from Denver.

43 JOHN L. STEARNS:

Manager of the New York Mutual Life Ins. Co., Cooper Building, Denver.

WILLIAM WEST:

Hawley says that he thinks he is a Denver man not subpoenaed. Our dope is: Gun man here, out of the penitentiary pending his appeal to the Supreme Court.

Maybe a member of No. 66. Silver City.

FLOYD THOMPSON:

Ex Secretary of the Colorado Mine Owners' Association at Cripple Creek. Defaulter, and now a refugee from justice in Old Mexico.

MRS. _____ POBST:

Hawley says, not subpoenaed. She lives a few miles out of Cripple Creek, and when Steve Adams fled from Cripple Creek on the afternoon of June 6th, 1904, he stopped at her house and left his rifle there.

ALLEN MORRIS:

Hawley says?

MRS. IDA LONEY:

Probably Mrs. Ida Toney, Harry Orchard's putative wife living in Cripple Creek.

GLEN DUFFY:

Hawley says he is not subpoenaed. Probably meant for Glen Duffield in charge of the jail at Denver at the time M. H. and P. were arrested.

238.

W. B. CHANDLER:

Hawley says he is a witness who was in the Steve Adams case at Wallace. Our dope is that he was a man who was sitting on the platform at the Independence depot at the time of the explosion and had both legs broken by that explosion. After that he went to Wallace, Idaho, and became a deputy sheriff.

C. D. SMITH:

Hawley says, from Caldwell. *Later says P. S. Smith, Pocatello
Maybe former store keeper at
Sullivan*

W. F. SHEERWOOD:

Later says Payette.
Hawley says from Caldwell. Our dope is that a man by the name of Sherwood, initials unknown, was one of the soldiers at Victor who was particularly busy against Western Federation men.

FRANK A. FENN:

Hawley says, not subpoenaed. Superintendent of Forest Reserves in Idaho.

239.

PHIL WEBER:

_____ says, a man by the name of P. D. Weber is the manager of the light and power company at Goldfield.

WM. J. BAILEY:

Sheriff of Shoshone County.

34 AL DUNN:

Hawley says he is from Wallace. _____ says he knows about a bomb being made there, and is postmaster and a newspaper man at Wallace.

There is such a man member of No. 72. Victor

MRS. AL DUNN:

Supposed to be the wife of above.

240.

THOMAS McCABE:

Under Sheriff at Wallace.

13 C. H. WENTZ:

Hawley says, probably Couer d'Alene man, not subpoenaed. _____ says that C. H. Wyens is probably meant by this name, and if so, Wyens is a gun man from Cripple Creek who has talked with him about giving testimony as to a conspiracy framed up on the afternoon of the 5th day of June.

C. S. KINGSLEY:

A Boise lawyer who went down to Caldwell on the Governor's special. *Maybe a member of #66. Silver City.*

R. B. BARTHELL:

Hawley says, a Cripple Creek deputy sheriff. (I doubt this) *Rob. Meldrum partner probably.*

241.

ANDY JOHNSON:

Nampa. Testified in the preliminary. Most unmitigated liar in Ada County. *A detective.*

CHARLEY OAKS:

Hawley says, Nampa man. Mr. Nugent says, he lives at Caldwell.

E. F. STEWART:

A Thiel detective. Was at Caldwell shortly after the killing. *Another member of No. 66. Silently*

5

ALEX. BALLENTYNE:

Hawley says, Caldwell.

242.

A. B. BARTHELL:

Most likely the same as R. B. Barthell above; but don't know.

F. D. McLANE:

Nugent says, there is an S. D. McLane who is a store-keeper and banker in Silver City. _____ says he is a Pinkerton man from Cripple Creek.

WINNIE MINOR:

A sister in law of Haywood. Hawley says she did a lot of talking when she was here, but don't think will use her.

A. C. LILLARD:

Chief of police at Nampa.

243.

MRS. PHILLIP SMITH:

Hawley says, not subpoenaed. Probably Caldwell.

B. F. DENNISON:

*Durham, Mrs. Hawley first
met him in Los Angeles.*

EDWARD BELL:

Sheriff at Cripple Creek.

W. S. SWAIN:

Thiel detective.

H. H. CAMERON:

_____ says he is a strikebreaker working at
the Vindicator and was there at the time of the
explosion.

Hawley says Spokane.

244.

C. H. HOWE:

This is probably E. H. Howe, an alleged lawyer at
Telluride.

WALTER SEBREE:

He is a banker at Caldwell.

FRANK BLACKINGER:

Manager of the Capitol Hotel at Boise.

MRS. _____ SPAIN:

Hawley says, not subpoenaed. *Denver, Colo.*

JAMES SEAHORN:

Joe Hutchison says he is dead. *Hawley says
Denver.*

245.

R. M. CURTIS:

Probably man who rented desk room in Pettibone's store in Denver. There is a Bob Curtis who is timekeeper on the Portland mine.

MRS. ROY COOKE:

San Francisco.

MRS. F. CROWE:

San Francisco

A. C. BOTHE:

San Francisco.

S. R. MACEY:

Hawley says, is State chemist at Moscow.

246.

18x

8

L. McCRARY:

San Francisco.

17x

0

J. CROOK:

EDWARD ADAIR:

A. F. HOLMAN:

Supt. of the Wolden Cycle mine and mine owner at Cripple Creek, and one of the men most prominent in the Cripple Creek strike next to A. E. Carlton.

IKE GARTLEY:

Shift boss on the Vindicator at the time of the explosion, working on the opposite shift from Melbeck who was killed.

247

DAN SHIELDS:

94+
J. V. PENDER:

Cashier of bank at Wardner.

96+
H. T. SNYDER:

THOMAS BURKE:

Deputy sheriff in Victor at the time of the strike.

95+
J. H. McINTYRE:

Hawley says Egden

_____ says he is an assayer at Midway
in the Cripple Creek district.

Maybe Sergeant Hiram Police.

248.

JAMES KEENAN: *Hawley says Spokane.*

MARARGET SWINK:

Hawley says Denver; probably not subpoenaed.

(11)

J. A. HINKEY:

Commercial Hotel proprietor at Nampa where Orchard telephoned from when he telephoned Easterly at Silver City.

CHARLES AROISON:

Probably Charles Harveson, at present Secretary of the SilverCity Miners' Union.

THOMAS FRYE:

Miner at SilverCity.

249.

THOMAS KEELY:

Cashier First National Bank at Denver.

30.

JOS. C. HUSTON:

Astecash National

Probably Joseph C. Huston, Second Assistant Cashier of the Denver National Bank.

S. W. Watson, Joliet, Ill.

JAKE HORN:

Newspaper men at Caldwell; formerly of Silver City.

Hawley says, not subpoenaed.

Fred. McCornell

City Engineer of Caldwell.

Albert Bush;

Sage & Associates, Dept. Bunker Hill & Sullivan

*James Curran
Denver.*

A. D. Campbell

Manager of Western Union at Spokane.

31.

Wm. Shulerberg, Spokane.

Wm. O'Hill, Bonanza Blue

Stanley P. Farivarther, Wallace.

B. Sinclair Easton, Wash.

18. Hackett, J. H.
 20. McLaughlin, Hill.
 Kildee, Nellie

21. Isaacs, Frank.
 Oslaney, Mrs. A. B.
 Kemp, O. B.
 Fish, Arthur
 Webb, William
 Messenger, Lawrence
 Ochsner, Dr. J. B.
 Hyder, Adelman
 Howr, E. C. *Telephone Atty.*
MEMORANDUM OF INVESTIGATION: DIVISION OF INVESTIGATION

19. ~~Subbing Lawrence, Stockton, Cal.~~
 16. Mrs. Sadie Swan, San Francisco
 39. Grant Wood Vaughan, Glenwood, Minn.
 E. E. Kelly, San Francisco.
 44. Mrs. Louise ~~Donald~~ Berkeley, Cal.
 George Scott, ~~Albuquerque, Mexico~~
 George Riddell, Denver, Colo.
 28. J. H. Hackett, Boise, Idaho.
 H. H. Blood, San Francisco.

GENERAL INVESTIGATIVE DIVISION OF DEPARTMENT OF JUSTICE

THOMAS J. HENRY

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EXCERPTS FROM SIGNED STATEMENTS, REPORTED INTERVIEWS
 AND REMARKS, AS REPORTED TO THE DENVER PRESS,
 OF PERSONS NOW CALLED AS WITNESSES, IN RE
 THE PEOPLE OF IDAHO v. HAYWOOD.

| | | | |
|---------------------|----------------|----------------|--------------|
| Bell, Sherman. | 252. 257. | Richard Henry | 301. 295. |
| Carlton A. C. | 258. | Shaffer Wilbur | 296. |
| Cocharn Frank. | 259. | Kenn Stein | 297. |
| Cole A. C. | 260. | Sumner J. D. | 298. |
| Craze A. H. | 261. | Roach Chas | 302. |
| DeSue Leonard | 262. | | |
| Easterly W. B. | 263. | | |
| Hawkins C. C. | 264. 265. | | |
| Holman A. J. | 266. | | |
| McCraw James | 267. 299. 300. | | |
| Melchum Bob. | 268. | | |
| Merille Chas. | 269. | | |
| Peabody Jas. | 270. 276. | | |
| Pool Victor | 277. | | |
| Schorcraft Geo. | 278. | | |
| Scott D. C. | 279. 80. | | |
| Sheehan Wm. | 281. | | |
| Stearns J. S. | 282. | | |
| Stirling Bob. | 283. | | |
| Stewart Thos. M. | 284. | | |
| Thompson Lloyd. | 285. | | |
| Military Court Ref. | 286. | | |
| Walley J. | 287. | | |
| Walley M. B. | 288. | | |
| Walley Mrs. | 289. | | |
| Wells Buckley | 290. | | |
| Adams Alex | 291. | | |
| Gooding For. | 292. | | |
| McCulley Geo. | 293. | | |
| McCulley Thos. | 294. | | |

251.

. Republican. March 29, 1906.

Adams, Steve.

Was said to have registered at Pocatello on September
24, 190(4). The place was found.

Republican. March 30, 1906. p. 3.

Says Detective Thiel and Chief of Police of Pocatello
went out and found the tin can and bottles cached by Adams
in September, 190(3).

The bottles were melted (sic). There were three men
present: Jim Byrd, Geo. McConkey and Frank Shaffer.

291.

News. September 25, 1903. p. 5.

Bell, Sherman.

Quoted in News item:

"All violators of the law will be arrested by the military authorities of the state to the end that law and order are not only partially but fully maintained, that peace may reign in Colorado, and that business may resume in Teller County, unmolested, regardless of writs of habeas corpus, inquests or post mortem examination."

News. December 5, 1903. p. 4.

Bell, Sherman.

Interview with _____

"Do you know", he said, "that if an order is issued to arrest all Socialists, they will be landed in the pen."

"How about Presbyterians"? the reporter ventured.

"They'll be thrown in too, if an order is issued".

"How about the women. You won't throw them into the bull-pen." "Oh, we'll have a cow-pen for them."

Republican. January 23, 1904.

Bell, Sherman.

"We have a confession, which implicates Parker (Sherman) in the assault on an old man, Stewart and several others as well."

Republican. June 7, 1904.

Bell, Sherman.

Dispatched orders to Capt. H. G. Moore, "Co. L.", to hold
in readiness call of Mayor or Sheriff.

Bell, Sherman.

"I want everybody within and without the State of Colo-
rado to either condemn and denounce this outrage, or tell
the public that they approve of assassination, dynamiting,
insurrection and rebellion within this state, as carried on
by the insurgents and their ally, the Western Federation of
Miners."

Republican. June 9, 1904.

Bell, Sherman.

Proclamation closing Portland.

June 11, 1904. p. 4.

Bell Sherman.

Statement for Chicago Tribune, by message.

"You want to know what the condition is in Teller
County. Here it is. The Cripple Creek district is cleaned
up and there will be no more trouble in the vicinity.

"It took drastic measures to accomplish this, but it
has been done. I reached Victor at 2 o'clock Wednesday
morning x x x .

"I found things in a most threatening condition. x
x x x For years they had been under the dominance
of city and county officials, who were either members of,
or sympathizers with the W. F. M.

253.

"They had submitted to partiality in the enforcement of the law, to dastardly explosions and dynamiting, to attempted train wrecking and wholesale murders, and never once had they taken the law into their own hands.

"But the awful crime of Monday morning, when 14 men, whose only crime had been that of working in defiance of a gang of murderers and dynamiters, met their death by a premeditated explosion of dynamite, brought matters to a crisis.

"Law abiding citizens and business men and property owners realized that either they or the members of the federation must leave the camp. There was not room for both, and they proceeded to force the other men out.

"And I don't blame them. Early Wednesday morning I issued the proclamation of martial law. Then I went to work to clean up the district. My agents reported the presence of a large number of agitators at Dunville, the new mining camp 10 miles from Cripple Creek. etc. x x x x

"On my return to Victor I took up the cleaning out of the district. Under my order every agitator was arrested and thrown into the bull-pen. At one time we had nearly 300 prisoners. We took possession of the Union Headquarters, and in them found absolute proofs of premeditated murder. Pictures of prominent non-union men were marked for death. They were kept on file until the men were killed, and then the names were crossed out.

"I put the prisoners in the sweat box, and the evidence I obtained from them is appalling. I do not care to give this out at present, but I will say this:

"It convicts two of the most prominent of the union

leaders of this district in one of the most diabolical murders ever perpetrated".

x x x x "The Federation is a socialistic organization by its constitution and is anarchistic in its tendencies. It is absolutely controlled by one man, William Haywood, who is using it for political purposes. The men even haven't the right to vote for a strike, or for calling off a strike. All of that power has been placed in an executive committee, of which Mr. Haywood, the secretary of the organization, is the head. With him it is a case of rule or ruin and he is trying his best to ruin now that he can't rule.

"The strike in the Cripple Creek district began last August. Since that time 38 men have come to their death by violence, for which the agitators are solely responsible. There have been dozens of cases of dynamiting in the camp, two of which have resulted fatally, causing 16 deaths. Train wrecking has been resorted to, and I have evidence of an attempt by agitators to wreck a train carrying 300 men, women and children, who had been attending a military ball in Victor. x x x x I have the most of the agitators out of the state or in the bull-pen, and I have President Moyer of the Federation in the bull-pen at Telluride.

x x x x

(Signed) Sherman Bell, Adjutant General."

News. June 13, 1904.

Bell, Sherman.

A signed statement by _____ in which he says:

"For ten years they (deported men) have had this county

255.
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terrorized. Since the beginning of the strike last August, thirty-eight non-union men have been murdered. They dynamited the Vindicator mine and caused two deaths."

"I had more than 300 men thrown into the bull-pen, and I had every one of them put through the sweat box. The confessions they made were appalling."

"Today I have absolute proof that will send a dozen local federation leaders to the scaffold, and twice as many to the penitentiary."

"The men I deported were indirectly concerned in these crimes. Those I am keeping are directly concerned."

x x x x

(Signed) Sherman M. Bell,
Brig. Gen., Adj. Gen. State of
Colorado.

Republican. June 17, 1904. p. 3.

Bell, Sherman.

After Moyer was released at Telluride, Bell "stated yesterday that it was the plan all along to have Moyer sent to Cripple Creek district".

News. September 9, 1904. p. 5.

Bell, Sherman.

Interview on Confession of Romaine.

"We have been looking for Romaine for some time. I received information at the time of the investigation that he was implicated and we found out that he had left the district. We have the names of fifteen men who were impli-

256.
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cated in the blowing up of the Independence depot, and have several of them under arrest. There were two gangs in that matter--one which placed the powder under the platform and the other which stood watch. I think, from the information I received, that Romaine was one of the watchers, though that does not relieve him from the responsibility for the crime. The man who actually pulled the wire is in a foreign country."

257.

Republican p. 4. June 7, 1904.

Carlton, A. E.

News telegraphed him by his superintendent, James S. Murphy.

June 7th, 3:50 A. M. Train made up by Carlton, Murphy and E. C. Newcomb to go to scene.

News. August 22, 1904. p. 1.

Carlton, A. E.

J. C. Higen, one of the deported from Cripple Creek on August 20th, 1904, says:

"Banker Carlton was not only directing the mob, but that he pointed him (Higen) out as one who should be deported". x x x x

"A. E. Carlton, the banker, pointed at me and said: 'There is one you want', and the next instant they had me fast. Carlton and Nelson Franklin were directing things."

"About a week ago Carlton came to me and asked me to withdraw from the bond of William Graham. I refused to do so."

News. August 25, 1904. p. 5.

Carlton, A. E.

In an interview at Shirley Hotel said:

"Will the deported men ever be allowed to come back? That is a hard question to answer. Who do you mean? It is a pretty hard thing to say that a man can never come back to his own country. Of course, it is better to deport a man out of his own country than to deport him to a graveyard. As to attorney Hangs returning, I would rather not make a statement."

Republican. June 8, 1904.

Cochran, Frank, Secretary Victor Union No. 32.

Sweated by Sheriff Bell. Used a coil of rope and
photographs.

959

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Republican. June 9, 1905. p. 1.

Cole, A. C.

Under a heading, "Mine men pretending to be constables are arrested". The name of "A. C. Cole, Victor", appears in the list.

It is claimed that the county judge of Teller County issued the commission to A. C. Cole for the purpose of raiding gambling houses.

News. August 25, 1904. p. 1.

Cole, A. C.

Charged by information with being one of the instigators and an active participant in the deportations of August 20, 1904.

Other defendants in same information are: Nelson Franklin, A. E. Carlton, R. P. Russell, John Sharpe, Cliff Newcomb, Henry Dahl, Harvey Waters, Frank Vanneke, H. H. Babcock, Lieutenant A. C. Cole, Harvey Gregory, Ira Watson, Woody Welch, Dan McCarthy, A. T. Holman, C. R. Orwig, Wm. Carruthers, Louis Henry, Thomas Scanlon, Chas. Gunn, E. K. Young, Wm. Bainbridge.

News. March 3, 1903. p. 5.

Crane, A. H.

News Item.

"A. H. Crane, former recording secretary of Millmen's Union, driven from Colorado City for alleged betrayal of his fellows".

261.
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Crump, S. D.

In an interview _____ said:

"Orchard left Colorado under the name of Dempsey, and we lost him in Wyoming." x x x

"We, in Cripple Creek, were able to connect two members of the executive board of the Federation with the blowing up of the Independence depot. These men were Sherman Parker and W. F. Davis, but we could never get any further than report that Harry Orchard was the man."

x x x "We do know that Orchard was paid \$2,000 for the Independence job."

x x x "I have been asked to go to Idaho when the case against Orchard is tried, and that is about all the connection that I have with the Idaho troubles."

298.
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Republican. June 15, 1904.

DeLue, Leonard.

Deputy Sheriff Denver County, and who was working on cases at the request of the authorities of Teller County.

969.

News. June 12, 1904. p. 1.

Easterly, W. B.

K. C. Sterling is said to have found an infernal machine in Easterly's closet--an electric battery worked by a pump action.

263.

Archives
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Republican. March 13, 1906.

Gooding, Governor.

Governor's Answer to Labor Union's Complaints.

"x x x To begin with, I can assure you that no mine owners, no association of mine owners, or no corporation of a private nature, wealthy or otherwise, has at any time had anything to do with the work of securing evidence against any of these men, that they had nothing to do with securing the services of detectives, and that the detective under whose control the evidence was obtained, because of which the men were indicted, was up to the time of the confession of Orchard a staunch believer in the innocence of Moyer, Haywood and others of the crime charged against them in Colorado, such as the explosion of the Independence depot."

"x x x No reward is offered nor will Mr. McParland get any unusual reward for success nor will the compensation either in amount or degree depend upon his success in securing evidence convicting or acquitting any man or set of men."

997.
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Hamlin, C. C.

In an interview said:

"The fight in the Cripple Creek district will be continued along the same lines as in the past. There are no grounds for compromise between us and the Western Federation of Miners. Either the Mine Owners Association or the Western Federation has got to go, and I don't mind telling you that we have decided to stay." x x x x "We realize as yet, however, that there is a lot of ousting to do."

264.

Republican, p. 4. June 7, 1904.

Hamlin, C. C.

Private adviser of Peabody. Secretary Mine Owners' Association.

Republican. June 11, 1904. p. 5.

Hamlin, C. C.

TELEGRAM TO NEW YORK TIMES.

x x x x "This organization has a record of lawlessness, murder, arson and dynamiting in the Couer d'Alene, Butte, Leadville, Idaho Springs, Telluride, Cripple Creek and elsewhere, extending over a period of ten to fifteen years, which should appall humanity. x x x x

"The responsibility for the above outrages (Independence Dep. Editor) is so well fixed that no person can belong to the Federation and pretend to be a law abiding citizen."

Republican. October 28, 1904. p. 8.

Hamlin, C. C.

In a speech at Victor said:

"I am here to say, that the men I represented (The Mine Owners' and Operators' Association) have spent thousands trying to run these criminals to earth. I want to say to Mr. Stewart that I can give him a better job than that of the sheriff's office and I will enter into a contract and bond with him to fulfill it." x x x x

"My duty as district attorney, if elected, will be to assist him to send these men to the gallows, even if my own brother should be the guilty one."

265.
Archives
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News. April 11, 1905.

Hamlin, C. C.

NEWS ITEM:

"Deportation cases nulled by Hamlin."

"District Attorney drops prosecutions of wealthy mine owners accused of belonging to gangs that abused miners."

The reason given was "a waste of funds".

News. November 25, 1903. p. 5.

Holman, A. T.

Superintendent of Golden Cycle.

Testified at Vindicator inquest.

266.
Archives
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News. February 20, 1906. p. 1.

McParland, James.

Said: "The officers of the Western Federation of Miners and those of the executive board implicated in the secret designs of the leaders will never leave Idaho alive".

"Although they will not leave Idaho, I have information and proof of their connection with a dozen atrocious murders in Colorado that would hang them if they did".

"I have not worked on any confession of Orchard, and if there is one I have not seen or heard of it."

"As I have been the only man at work on the case I think I would have known of it had there been one".

267.

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Republican. March 29, 1906.

McConkey, Geo.

Found bottles and tin cans in rubbish at Pocatello near an old mill, as described by Steve Adams. He took the stopper out of one of the bottles and burned his hands (sic) and clothes severely. (Detective Thiel made this investigation.)

293.

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Republican. March 29, 1906.

McConkey, Thos.

Saw blue smoke coming from a rubbish pile where the first bottle had been thrown. He and Con Regan went over and began stamping out the smothered fire with their feet. The liquid got on their shoes and burned the leather to a crisp.

294.
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Republican, p. 4. February 21, 1906.

McParland, James.

Interview concerning Goddard bomb.

"x x x x I have had a man in the presence of three witnesses exhume the bomb, which consists of ten pounds of dynamite and 100 giant caps. The cork of the bottle had dropped out, eaten away by the acid and the acid itself had evaporated. I sincerely hope that this statement with reference to these two bombs will set the public mind at rest." x x x "When the proper time comes the proof will be forthcoming, including the unexploded bombs."

Republican. March 3, 1906. p. 1.

McParland, James.

The Boise Statesman will say in the morning:

"The Statesman is authorized to announce that Steve Adams, arrested at Haines, Oregon, on February 20th, in connection with the Steunenberg assassination, has made a full and sweeping confession".

"This second confession is far more important than that made by Harry Orchard. This is the statement made by James McParland, the famous detective, last evening, in the presence of Governor Gooding and J. H. Hawley, who is in charge of the prosecution".

"Mr. McParland added that Adams' confession fully and exactly corroborated that made by Orchard at every point touched on by both".

"Moreover, Adams knows far more of the workings of the 'inner circle' than Orchard did and was able to give a mass

299.
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of detailed information that Orchard's confession did not cover. The confession of Adams corroborated that given by Orchard on every substantial point connected with the assassination of Governor Steunenberg. Adams, however, was not at Caldwell at the time of the assassination, nor was Orchard at the time of the unsuccessful effort in November. The man who assisted Orchard on that latter occasion was Jack Simpkins."

300.
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Republican. April 3, 1904.

Meldrum, Bob.

News item.

"The killing of Olaf Tissell by Deputy Sheriff Meldrum in Savage Basin last night was felonious, according to the verdict of the coroner's jury."

His bond was signed by Manager Herron of the Tom Boy.

It is also claimed he killed a man in Texas.

Republican. April 12, 1904.

Meldrum, Bob.

News item.

"Bob Meldrum and his partner, Willard Runnells, were brought from Snake River country, Wyoming, to Telluride during the investigation of the Collins murder, over a year ago."

"Since last September Meldrum has been stationed as a guard at the Tom Boy mine. Both Meldrum and Runnells are known to be daring men and for that reason were chosen by the officials of San Miguel, as conditions demanded men of action."

Archives
University of Colorado
at Boulder Libraries

News. September 5, 1903. p. 6.

Meldrum, Bob.

Was arrested for assault and battery on two union miners named Miller and Drummond, by Sheriff Rutan of Telluride.

268.
Archives
University of Colorado
at Boulder Libraries

Republican, August 12, 1904.

Neville, J. J.

Suspect. Was returned to Cripple Creek August 11, 1904. Was arrested in the "Hole in the Wall" country, Wyoming.

Neville said: "It is easy enough to charge a man with a crime, but it is very hard to get a conviction when the man charged can show evidence that he is innocent. I had nothing whatever to do with the blowing up of the Independence depot and I can prove that, too. I have nothing more to say, as I think my remarks cover the case."

Archives
University of Colorado
at Boulder Libraries

Neville, Chas.

Assayer; residence Independence, Colorado.

Brother of J. E. Neville.

Has been arrested (not convicted) of high grading.

Archives
University of Colorado
at Boulder Libraries

269.

Republican. March 3, 1906.

Orchard, Harry.

News Item:

"A cipher code book found in Orchard's trunk after his arrest is proving of great value."

Archives
University of Colorado
at Boulder Libraries

301.

Republican. March 15, 1906.

Orchard, Harry.

Is quoted in his confession the following:

"Haywood said, 'We must pull off something quick. We need more money and the only way to raise money is to raise Cain'.

At another time Haywood said, 'An election is coming off and 'We cannot afford to lose out. We must do something to make a stir'."

"The worst plots were concocted at Haywood's houses."

He swears by all that is sacred that it was he who notified the conductor of the train that was going to be derailed near Victor embankment--because it contained children and women.

"I told the federation folks over and over again that I would not stand for the murdering of people who didn't owe the federation anything. I could have got Peabody dead to rights more than once if it hadn't been for the women folks."

Orchard, Harry.

Republican. March 17, 1906.

News item:

"ORCHARD'S CONFESSION CORROBORATED".

In checking up his confession, Orchard rented a room on 17th St. (Denver), with the intention of getting away with a well known citizen. This was in November, 1905.

The hotel keeper and clerk (names not given) have a distinct recollection of the circumstances. The hiring of rigs, hacks and automobiles to get away is said also to have been confirmed.

395.
Archives
University of Colorado
at Boulder Libraries

News. March 4, 1903. p. 1.

Peabody, James H.

Telegram of protest to Peabody by
citizens of Colorado City.

"Governor Peabody: "It is understood that the militia has been ordered to our town. For what purpose we do not know, as there is no disturbance here of any kind. There has been no disturbance more than a few occasional brawls since the strike began, and we respectfully protest against any army being placed in our midst. A delegation of business men will call on you tomorrow with a formal protest of the citizens of the city.

(Signed) J. F. Faulkner, Mayor.

Geo. G. Birdsall, Chief of Police. John McCoach, City Atty."

News. March 13, 1903. p. 1.

Peabody, James H.

Part of written statement by _____
on Colorado City strike.

"From the statements of the men employed at these several mills I learned that such a condition of fear existed, by reason of threats from unknown parties to injure the persons, families and homes of the workmen at the mills, as to fully convince me of the necessity of maintaining the militia at that point for the present. However, upon the most rigid and careful investigation I could not find that any of such threats were made by any members of the local union, or by persons who were known or could be identified as directly or indirectly connected with such union, but they seemed to come from an idle element, temporarily situated in that locality."

10.
Archives
University of Colorado
at Boulder Libraries

Peabody, James H.

Interview with _____ as follows:

"I have thus far refrained from telling about the pending negotiations for fear that publicity might bring about failure. But the truth of the matter is that President Moyer and Secretary Haywood of the Western Federation of Miners submitted a proposition of arbitration to me Saturday night. Determined to do all in my power to bring about a speedy settlement and a withdrawal of the troops, I telephoned to the mill owners, and they held a conference with me in my office the best part of Sunday. The mill owners insisted on a written statement, so President Moyer submitted the proposition in writing last (Monday) night."

June 6, 1904.

Peabody, James H.

At St. Louis--Special to Republican.

"This trouble has been brought about by iconoclasts. They have been beaten in their strike and intend to get revenge by making the situation intolerable. It is a terrible thing."

Republican. June 7, 1904.

Peabody, James H.

Not in state at this time. Haggott acting governor.

Republican. June 14, 1904. p. 3.

Peabody, James H.

"New York, June 12.

"Gov. James H. Peabody, Denver, Colorado.

Will you not telegraph to the World a statement of your

reasons for permitting Colorado troops to dump 91 Union miners on Kansas line, leaving them destitute on the prairie, miles from habitation? No explanation of this action has reached the east. What evidence against the men justified such action? Under what Colorado laws were they banished? Please wire at our expense. The World."

ANSWER.

"Denver, June 13.

"The World, New York City:-

Answering your telegram: The reason for deporting strikers and agitators from Cripple Creek was the dynamite outrage of June 6th, whereby 14 non-union miners were instantly killed, and the subsequent street riots and killing of two non-union miners by the same element. Suitable provision sent on same train with agitators. No cases of hunger or suffering reported. The Constitution of Colorado commands the suppression of insurrection by such means as may be necessary. The statement published from headquarters Western Federation of Miners to the effect that present strike was called by referendum vote and for the purpose of establishing eight hour day erroneous and false. The strike was arbitrarily called by the executive committee of the Western Federation of Miners and protested against by three fourths of the miners in the Cripple Creek district. The eight hour day had been established and recognized for ten years past and employer and employed were satisfied and working in harmony. Rioting, dynamiting and anarchy has had its day in Colorado.

(Signed) James H. Peabody, Governor."

272.
Archives
University of Colorado
at Boulder Libraries

Republican. January 28, 1904.

Peabody, James H.

News item.

Received a telegram from Cripple Creek to the effect that all evidence showed the overwinding of the cable (of the Independence hoist) to have been accidental.

"I expect, from what I have heard, the coroner's jury will bring in a verdict that the cause of the disaster was accidental."

Republican. August 13, 1904.

Peabody, James H.

News item.

"Both Gov. Peabody and Gen. Bell have scrap books containing accounts of the Colorado strike happenings written from every conceivable point of view."

Archives
University of Colorado
at Boulder Libraries

Republican. June 14, 1904. p. 3.

Peabody, James H.

In reply to a communication from the Industrial Council of Kansas City, dated June 13th, the governor says:

"Denver, June 13.

"J. J. Hockett, Secretary Industrial Council, Kansas City, Mo.

The fact that your council indorses the assassinations, train wrecking and dynamiting by the lawless element in the Cripple Creek district, but proves the necessity for my present action in suppressing all such from the soil of Colorado. Become wise before you attempt to teach.

(Signed) James H. Peabody, Governor."

Republican. June 16, 1904. p. 3.

Peabody, James H.

TELEGRAM.

"Boston, June 14. Montgomery, care Labor Bureau,
State House, Denver.

Can't you get governor or General Bell to issue statement clearly discriminating between American Federation of Labor and socialist organizations in present matter?"

This telegram was signed by Ralph M. Easley, Secretary National Civic Federation.

PEABODY REPLY.

"In reply to your telegram will say I am not fighting organized labor as such, and never have been. The law abiding citizens of Colorado have no fight on the American Federation of Labor or those affiliated with it. The Western Federation of

273.

Miners two years ago officially endorsed the principles of socialism, and these principles, as well as coercion, intimidation, dynamiting and assassination, are inimical to the best interests of any commonwealth.

(Signed) James H. Peabody."

Republican. June 25, 1904. p. 1.

Peabody, James H.

Warned to get out of Chicago. Labor agitators threaten him, but he tells them he will not leave.

Republican. June 26, 1904. p. 8.

"The governor did not want to go into a discussion of Colorado affairs. x x that the report that a delegation of labor leaders of Chicago had called on him was true."

News. July 12, 1904. p. 3.

Peabody, James H.

"I cannot promise the people of Cripple Creek special guarantee of safety any more than I can pledge any other citizen of the State of Colorado immunity from danger. It is beyond the power of any human being to make such a guarantee. I can assure both them and the citizens generally that I will do everything that can be done to preserve peace and order and to maintain such a condition in the state as will result in happiness and safety to every one, but that is the best I can do."

"So far as pledging protection to deported men who apply to the military for assistance to go back to the district, I could not do this indiscriminately. There are some of those deported

men who would not be permitted to live in the district. When people come from there and say that the soldiers are ravishing the women, they have little right to consideration."

News. July 31, 1904. p. 1 et seq.

Peabody, James H.

SIGNED STATEMENT.

x x x x "The sheriff and nearly every peace officer of the county were members of the Western Federation of Miners and owed their positions to the votes and influence of that organization. x x x x I well know the history and character of this organization. It is, in fact, a matter of common knowledge in Colorado that for ten years this federation has stopped at nothing to accomplish its purpose."

"Threats, intimidations, assaults, dynamite outrages and murders have everywhere characterized its policy."

x x x x "The catalogue of its crimes affrights humanity".

x x x x "The federation is led and absolutely controlled by unscrupulous men".

x x x x "It became apparent that, even with every member of the National Guard in that county, it would be impossible to prevent the use of dynamite in the stealthy manner always employed by the federation".

News. August 22, 1904. p. 7.

Peabody, James H.

INTERVIEW.

"I have not been officially notified of the occurrences of

276.
Archives
University of Colorado
at Boulder Libraries

Saturday (the deportation of August 20th, 1904) night. I have made no decision as to sending troops there, and cannot say what I shall do until I have had time to look the matter over and learn the status of things."

News. August 1, 1903. p. 3.

Peabody, James H.

Interview with _____ concerning petition of Idaho Springs committee of deported miners to be returned to their homes. On train to Canon City said:

"I shall answer it the first thing Monday morning. I shall tell these petitioners that they must first apply to the civil authorities for protection. After they give that a fair trial, if they are unable to get justice, let them come to me again and I will take such steps as will guarantee them from further molestation. That is the only thing I can do. Even if I wished, I could not take matters in my own hands until the efforts of the civil authorities had proved futile. The law strictly provides that."

News. December 4, 1903. p. 5.

Peabody, James H.

"The conditions in the Cripple Creek district are alarming. Men accused of crimes are arrested there three and four times and turned loose by the civil authorities. What good does it do under such circumstances for the military to make important arrests?"

Republican. July 12, 1904.

Peabody, James H.

INTERVIEW:

x x x "Any honest citizen will be given all
the protection the military can afford. In this connection,
however, I want to say that no requests for protection will
be considered from men who were deported, for the reason that
they were not good citizens."

Republican. July 31, 1904.

Peabody, James H.

In his written and signed statement says: "I resolved that they (deportees) should be dispersed and I dispersed them. This was done, however, only after careful investigation of each individual case." x x x

"It has been charged repeatedly that the militia has been placed at the disposal of mine owners to oppress labor. The injustice of the charge is apparent but it will doubtless continue to be made."

(Quaere. Who advanced the pay?)

Republican. November 5, 1904.

Peabody, James H.

Speech at Glenwood Springs:

"Why, they make an awful outcry that I am ruining the state by calling out the militia, and in the same breath tell you that the mine owners paid the bill."

Republican. November 8, 1904.

Peabody, James H.

In a speech at Coliseum Hall, Denver, said:

"I have treated the enemy humanely and I have treated them according to law, for the Supreme Court has said so. I gave these men who were deported the privilege of going into any county in the state but the one I was operating in."

Republican. November 8, 1904.

Peabody, James H.

In his speeches yesterday remarked "that he noticed that Moyer and Haywood have come out at this time with a denial that 44 of 126 men deported from Cripple Creek and the camps were ex-convicts. I do not want to enter into a controversy with these men."

Republican. June 7, 1904.

Poole, Victor.

Seen by pumpman Altman Water Works on Colorado Springs
road, driven by a woman.

277.

Archives
University of Colorado
at Boulder Libraries

Republican. March 2, 1906.

Roach, Chas. (1651 Court Place)

Plumber of Denver.

Orchard says that he crossed the street to the plumbing shop of Charles Roach and picked out a piece of lead.

"What are you going to do with it", the plumber asked.

"I am going to grow cactuses and bore holes in this sheet and have the cactus flowers grow up through them; it's a great idea of mine", Orchard answered.

302.

Republican. March 29, 1906.

Shaffer, Wilbur.

Was also present at the discovery of the bottles at
Pocatello. (No statement from him.)

296.

News. November 26, 1903. p. 3.

Schoolcraft _____

This name is in the list of men released from bull-
pen on November 25th.

Schoolcraft, Geo.

News Item says:

Geo. Schoolcraft, who was arrested about three weeks ago by the military authorities and placed in the city jail, was released on a \$4,000 bond this evening (Dec. 26th). The charge against him was "high grading" from the Last Dollar mine one year ago.

278

Republican. January 29, 1904.

Schoolcraft, _____

At the inquest (the Independence hoist disaster) the following witnesses were excluded from the room: Mansfield, Nesdale, Schoolcraft and William Reed, all employed on the first level of the mine.

Republican. March 12, 1904.

Schoolcraft, Geo.

News item.

"Cripple Creek, Colorado, March 11th.

The case against Geo. Schoolcraft and others, accused of robbery of high grade ore at the Last Dollar mine, was nolledd by the district attorney."

News. December 4, 1903. p. 1.

Scott, D. C.

"D. C. Scott, being duly sworn, on oath states: that Sherman Parker, W. F. Davis, Thomas Foster and Charles McKinney, on the 17th day of November, 1903, did then and there willfully, unlawfully and feloniously agree, conspire and co-operate with one another and with divers other persons unknown, to loosen a rail of said railway operated in this county between the stations of Victor and Cripple Creek, with the intention of then and there derailing and wrecking a passenger train."

News. February 26, 1904. p. 7.

Scott, D. C.

In re derailing train at Cripple Creek.

"W. W. Rush, an engineer employed on the Florence & Cripple Creek R. R., created a sensation in court this afternoon, in the so-called attempted train derailing cases against Foster, Parker and Davis.

In re-cross examination he admitted that at 10:55 o'clock, at the Florence & Cripple Creek depot, he was approached by D. C. Scott, who is the detective or the special agent of the Denver and Southwestern railway, and asked where there was a good place to derail the train. Scott suggested one point, according to Rush's testimony, but the engineer suggested another point, some 200 yards further south. When asked by Attorney Hawkins if the attempt had been made there to derail the train, he said: 'Yes, it was at the very place that I suggested'."

News. February 27, 1904. p. 14.

Scott, D. C.

In re derailment of Florence & Cripple Creek train.

"Victor W. Mather, who swore that he came along the track of the Florence & Cripple Creek R. R. and recognized D. C. Scott and another man doing the work."

"When asked to pick out the man, Mather said: 'This is the man now standing up that I saw with a bar in his hand, or a piece of steel'."

280.

News. November 25, 1903. p. 2.

Sheehan, Wm.

Master Mechanic of Vindicator.

Testified at Vindicator inquest.

281

Stearns, J. L.

Insurance man--was approached by Orchard in April, 1905, and asked for a position as solicitor.

Stearns agreed to employ him provided he could furnish satisfactory references.

Orchard returned with satisfactory references from J. C. Sullivan and G. A. Pettibone.

Sterling, Bob.

with Mrs. Association
Emp. M. O. A.; says he has positive information who
pulled wire.

283.

News. September 2, 190 . p. 1.

Stewart, Thos. M.

News item concerning assault on _____ says:

"Stewart says that he is not personally acquainted with any of the men who attempted to kill him, but says that he has seen several of them around the streets of Independence and would be able to recognize them again if he should meet them."

News. November 26, 1903. p. 1.

Thompson, Floyd.

Was arrested by militia and thrown into bull-pen for saying when two others were arrested, "These boys are all right".

Thompson was Past Grand Master of the local lodge of Masons.

285.

News. July 21, 1904. p. 3.

Walley, J.

Engineer on Portland at time of second close down,
July 20th.

987
Archives
University of Colorado
at Boulder Libraries

News. July 22, 1904. p. 6.

Walley, M. B.

Was arrested, but having a mine owners' card was
released.

288.

Republican. May 25, 1905. p. 5.

Walley, Mrs. _____

NEWS ITEM.

"A Miss Fulwider, daughter of Newton Fulwider, claims to have seen a small mound of earth at the point of the explosion on Tuesday (May 23, 1905) afternoon."

News. May 25, 1905. p. 5.

Walley, Mrs. _____

NEWS ITEM--says:

"Yesterday morning he (Merritt Walley) started out from his home, in company with his wife, for the purpose of looking at a house at the corner of Twelfth and Pennsylvania Avenues, which they were contemplating renting. They walked together as far as the home of Mr. and Mrs. Backensts, on Seventeenth Avenue, when Mrs. Walley complained of being tired. 'You go on and look at the house; I will stay here and visit for awhile', said Mrs. Walley. 'All right', replied Walley. 'I will go on and you stay here and rest. I will stop for you on my way back'."

289.

Republican. March 5, 1904.

Wells, Bulkeley,

News item.

"J. W. Baldwin was deported by order of Capt. Wells today for attempting to reopen his saloon. The Cosmopolitan restaurant, run in connection with the saloon, was turned over to the miners' union as a free soup house last September."

Republican. April 10, 1904.

Wells, Bulkeley Capt.

News item.

Escorted deportees to Ridgway from Telluride, and had charge.

"Oscar Johnson, a Finn, is seriously injured. It is said he was struck twice across the small of the back by a gun swung by a soldier, and received a punch with the same weapon, which broke his pelvic bone. Dr. Slick of Ridgway dressed his wounds."

Wells, Bulkeley.

News item.

In charge of Moyer on return to Telluride from Denver, after attending Supreme Court.

"They were met at the depot this evening by the remaining portion of Troop A, the High School cadets and over 1000 citizens. The procession marched up town with Moyer in the center of a hollow square. Later fireworks were displayed."

Republican. June 16, 1904. p. 3.

Wells, Bulkeley, Capt.

ORDER.

Captain Bulkeley Wells, commanding troops San Miguel military district, National Guard of Colorado, Telluride, Colorado, will, upon receipt of this order, turn over all military prisoners, including Charles H. Moyer, to the sheriff of San Miguel County, at Telluride, Colorado, at the hour of 8:59 o'clock P. M. on Wednesday, June 15, A. D. 1904.

By Command of James H. Peabody,

Governor and Commander in Chief.

Sherman M. Bell,

Brig. Gen. Adj. Gen. State of Colorado.

290.

Republican. August 3, 1904.

Contains a ten column article entitled the "Criminal
Record of W. F. M."

Archives
University of Colorado
at Boulder Libraries

Republican. July 21, 1904.

"Cripple Creek, July 20th.

Direct informations were sworn to tonight charging P. H. Mullaney, W. Gaffney and A. L. Nuget with conspiracy to murder, and murder in connection with the Independence depot explosion."

"It was learned tonight that a suspect now in the county jail has been identified as one of two strangers in the camp who stopped at a miner's cabin at Altman a few days before the explosion."

"The two men asked permission to leave a telescope grip and the occupant of the cabin, whose name is withheld, will be a witness for the state. His curiosity was aroused by the weight of the grip when it was handed to him and he opened it later. It was found to contain dynamite, fuse, caps and a coil of wire."

"The two men did not return until the next day, when they gave the miner a dollar for his trouble and insisted that he accept it. Portions of the wire used to cause the explosion, remnants of which are now in the hands of the civil authorities, are said to be identical with that seen in the grip.

The suspect is probably Pearl Skelton."

Republican. March 7, 1906.

NEWS ITEM:

"Pending arrest known to Federation Men".

"Spies (by cipher telegram) in Idaho notify them of departure of lawyers and they are preparing to flee after partially destroying evidence against them when captured".

Archives
University of Colorado
at Boulder Libraries

297.

OFFICIAL REPORT
OF THE MILITARY COURT OR BOARD OF INQUIRY.

July 26, 1904.

x x x x "Of those recommended for deportation, the list was composed of agitators, ore thieves, keepers of fences for stolen ore, habitués of bawdy houses, saloon bums and vagrants.

The examination was conducted along the line of desirability of those examined for residence in the district, with a view to peace and law observance, and no other purpose was had in view of the recommendation.

(Signed) H. M. McGarry
Nelson Franklin
F. D. French
J. B. Cunningham
G. E. Copeland
Frank M. Reardon
T. J. Dalzell

Archives
University of Colorado
at Boulder Libraries

286.

ALVA A. SWAIN

Denver editor, Pueblo Chieftain.

303.

Heard conversation over the phone between Governor Peabody and postmaster Frank Reardon of Victor, at which time the arrangements were made to put the W. F. of M. out of business. He was in his office at the time, in the Ernest and Cranmer Building; picking up his phone he heard this conversation: Peabody said that he had been elected to break up the Western Federation of Miners and that he intended to do it but he was not quite ready at that time to send the troops to the Cripple Creek district. Reardon was urging that the troops be sent at once. Peabody was impressing Reardon with the magnitude of the task they had set out to accomplish and Peabody said that it might take even longer than Peabody would be governor. Peabody said in effect, "If we don't go about it in the right way the Western Federation of Miners will be here when my administration is over." A week after the conversation occurred Swain told Peabody about having overheard it, and Peabody asked him not to publish it, and Swain agreed not to do it, and never did. Peabody has also told Swain in other conversations that he intended to break up the Western Federation of Miners. Swain will also testify that during the Colorado troubles he had frequent talks with Haywood and that Haywood at all times was opposed to violence and stated that no strike was ever won by the use of violence. That upon one occasion Swain said he would be afraid to be in

Peabody's shoes, that some of the miners who had been deported from Telluride and Cripple Creek might kill him, and that Haywood said that Peabody was not to blame, and it could do no good to kill any one man or set of men; that there would always be plenty of others to take their places and that the only way a laboring man could get his rights would be, not by violence or murder, but by a campaign of education.

ED. MYERS

Effingham, Kansas.

Will testify that C. C. Hamlin, who addressed the mob on the corner of 4th St. and Victor Ave. on the morning of June 6th, 1904, opened his speech by saying, "Men, you have been assassinated and blown into eternity when going to and from your work by the Western Federation of Miners who are anarchists, and every man, woman and child of them should be hung to these telegraph poles, and now is the time to do it. Take your guns and get at them." Someone in the crowd said, "Who do you mean"; and then they began to shout, "Hang them;" and the shooting began. Mr. Myers was working in Victor at the time and I believe he was one of the deportees. See his letter dated May 10, 1907.

304
Archives
University of Colorado
Boulder Libraries

McCluskey,

A miner living at Wallace in the fall of 1905.

He put up at the hotel run by Bob Bradley. He made a proposition to a man named Mike Manning to join him in the enterprise. Manning wanted to know what the enterprise was and when he was shown the bomb or infernal machine which was afterwards found in the river and which was recently brought to Boise by Angus Southerland. He told Manning that he was going to blow up either the Tiger boarding house at Burke or the Tiger shaft at Burke. McCluskey said to Manning that he was a union man and was after the Missouriians. Manning informed him that he would not have anything to do with that kind of a job and that he was mistaken about the Tiger people not being union men; that they were the best union men in the camp. Mr. Manning did not say anything to anyone about the matter at the time. Bradley found out about the bomb and he ordered McCluskey and his partner Cunningham out of his place.

Archives
University of Colorado
at Boulder Libraries

305.

CUNNINGHAM

Was in Wallace in 1905 with McCluskey. After being kicked out of the Bradley boarding house or hotel Cunningham took something in a gunny sack into James Kelley's saloon, called the Montana saloon, on Cedar Street in Wallace, and asked him if he could leave it there. He did leave it behind the bar in a place designated by Kelley, but later Kelley found out what was contained in the sack and fearing that somebody would do something with the bomb, Kelley thought it best to do away with it and not knowing what else to do with it, he threw it in the creek hoping that the weight of the machine would sink it and that the powder and material of which it was made would rot and spoil and lose its capacity to do harm. It was later found by one of the firemen and the history of it made public through the Thiele Detective Agency, and it was placed in the custody of Angus Southerland who is supposed to have had it from that time to this.

Archives
University of Colorado
at Boulder Libraries

306.

CHARLES SWEENEY

One of the State's witnesses.

Was the owner of the Last Chance mine of Wardner, Idaho, in 1899. John Presley was foreman of the mine and had a talk with Sweeney about the blowing of the Bunker Hill and Sullivan which occurred on the 29th day of April in that year. Presley thought it would be best to pay no attention to the matter but go ahead and run their mine, to which suggestion Sweeney replied that he thought Presley was right. Within a day or two Sweeney and other mine owners had a meeting at Spokane. When Sweeney returned to Wardner Presley had another talk with him concerning this matter and advised Sweeney to keep out of the fight, that it did not concern him nor his mine, to which Sweeney replied to Presley, "You attend to your own business; this job has cost me \$5,000 and I will try all I can to hang everyone of those S.B.s in the bull pen."

Archives
University of Colorado
at Boulder Libraries

307.

JOE McDONALD

Manager of the Crystal Mine in 1899

This is the mine that the powder was taken from to blow up the Bunker Hill mill at Wardner. When the powder was taken McDonald told the parties taking it to do a good job of it and to put Burbridge on top of the pile. The man who thawed the powder was named McKenna.

HEIMERDINGER

Manager of the Victor and Goldfield Stores at the time they were looted.

Knows all about the looting the second time. Is now in Butte, Montana. J. C. Lowney of Butte knows his address.

HALL

One of the managers of the union stores at Cripple Creek and Goldfield.

Knows all about their looting the second time. Is at present in Butte, Montana. J. C. Lowney knows his address.

Archives
University of Colorado
at Boulder Libraries

308.

MRS. HANNA

Goldfield, Nevada.

She is the woman who was kicked in the stomach by
A. E. Carlton when he was looting the union store in
Victor on June 6th, 1904. Her present address is known
to William F. Davis, Drawer "O", Goldfield, Nevada,
to whom I have written on May 28, 1907.

A. H. FLOATEN

506 South College Ave., Ft. Collins, Colo.

Will come to Idaho on receipt of a telegram.

MURPHY

Former member of the executive board in 1903.

J. C. Lowney of Butte, Montana, knows his address and
will get it and forward it to me.

HUGHES:

Member Executive Board of 1903.

J. C. Lowney knows his address and will get it and
forward it to me.

THOMAS PARTET

Box 219, Buena Vista, Colo.

Archives
University of Colorado
at Boulder Libraries

309

JOHN HARPER AND SON

Bellevue, Arizona.

Harper is a delegate to the convention and will be in Denver after June 10.

D. J. SULLIVAN

Postmaster at Cripple Creek.

Knows all about the acts of the Mine Owners' Association and is now ready to tell about them. McCarnack has been directed to see him and he will advise.

J. G. MILLIGAN

Bailey Bldg., Seattle, Washington.

With M. B. Jackson & Sons, insurance men. He was with Simpkins on December 29 at four o'clock in the afternoon in Seattle. Simpkins could not have left Seattle prior to that evening. It was therefore an impossibility for him to have been in Caldwell on the evening of December 30. Mr. Milligan knows the name of the insurance man in the Kern Block at Seattle, who was also with him when he had the interview with Simpkins at four o'clock in the afternoon.

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310.

CROLIUS

Crolius Coal Company, 2044 - 15th St., Denver, Colo.

Mr. Crolius was mayor of Joliet for three terms, having lived in that city a great many years. He has come to Denver to live quite recently. He was recently in Joliet when the newspaper stories came out in regard to Moyer having done time in the penitentiary in that city. As a matter of curiosity he went to the penitentiary and made inquiry from the officers in charge, who showed him the records that they have, and the name given of the person supposed to be Moyer is Charles S. Myer. The prison authorities assured him positively that there was no possible way for them, by reference to the prison records or otherwise, to identify the person that they then had under the name given as Charles H. Moyer.

H. V. S. GROESBECK

Formerly Chief Justice of the Supreme Court of Wyoming.

Had a conversation with Orchard at Laramie in the summer or fall of 1904 in which Orchard is reported to have told him that he was a detective working in the employ of the Pinkerton agency and had been working for the Mine Owners' Association as such detective in Colorado.

311.
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