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10 PAGES—LAST EDITION

MURDERER OF STEINBERG

Takes Witness Stand and Tells History of an Unprecedentedly Wicked Life.

MURDER WAS HIS BUSINESS.

"I Lit One of Fuses That Blew Up Concentrator Mill at Wardner, April 29, 1899."

HE BLEW UP THE VINDICATOR.

Says That Haywood Told Him "It Was a Fine Piece of Work"—He Showed No Emotion.

Wells, Idaho, June 5.—A well groomed, stockily built man, dressed in a grey suit and apparently as composed as any one of his hearers, the man known as Harry Orchard, a self-confessed many-time murderer, took the witness stand in the district court of Ada county at 9:42 o'clock this morning. He is the principal witness against W. D. Haywood, charged with the murder of former Gov. Steinberg, and who is, by Orchard's story, connected with many fearful crimes.

Some knowledge of the ghastly series of narratives to be related by Orchard has reached the public from time to time since his arrest, but the crowded courtroom thrilled when early within the first 15 minutes of his testimony, Orchard, in reply to a question from J. H. Hawley, leading counsel for the state, coolly said:

"I lit one of the fuses that blew up the concentrator mill at Wardner on April 29, 1899. Two men were killed."

A courtroom, now some 300 people was filled to its capacity. Among the spectators were many women. A number of the seats reserved inside the bar were also occupied by the wives of attorneys or relatives of those concerned in the case.

Haywood was the principal figure of a family group. His invalid wife, in her rolling chair, was immediately to his right. Next to her his mother—a handsome woman of 60 years, who appeared in court today for the first time. Again to the right Haywood's sister, a slight, pretty girl in white waist and black skirt.

Orchard was called this morning earlier than was anticipated. Several minor witnesses were examined. Then came the first really dramatic situation in the course of the Haywood trial.

"We will have our next witness here in a few minutes, your honor," announced Senator Borah.

"There was a busy stir in the courtroom and then there fell a silence maintained for fully five minutes. Judge, jury, bar and public waited until Sheriff Shad Hodgkin nodded to Senator Borah.

"Our next witness will be Harry Orchard," said the senator quickly, addressing the court.

Then the man who for 18 months has been closely guarded, almost incommunicado, in the Idaho penitentiary, the murderer, who, repeating, has confessed, entered through the side door, leading to the rear of the courtroom.

He walked with a quick, springy step preceded and followed by deputies and detectives. They passed through the bar enclosure into the audience, and the outer rail again entering the enclosure at the center gate. Orchard was sworn and directed to the witness chair, immediately in front of the judge and jury. Every eye was on the remarkable man who was there to tell his own neck in the noose and whose story as told on the stand up to noon today reveals an almost endless chain of fearful deeds done by him and his fellows.

Haywood perhaps was the most intense of the spectators. For the greater part of the morning he kept his eyes fixed staring upon the witness, his face pale and his hands clenched in a cold grasp of contempt on his mouth. Now and then he flushed slightly under a frown. When later, Orchard told how Haywood came into the mine and agreed with him for other murders, Haywood swallowed hard on a lump in his throat, but otherwise showed little emotion.

At recess Haywood even chatted pleasantly with some friends and laughed heartily at a joke by one of his counsel. Orchard will be allowed to tell his whole story leaving out certain minute details only. This question was settled this morning when Judge Wood said that on assurance from counsel that the state that they would connect Haywood and other rail troubles and the crimes confessed by Orchard he would let the evidence in, but if they failed to do so it would be barred out.

The first witness called was J. M. Russell, a hotel proprietor at Nampa, Idaho, which is between Boise and Caldwell. Russell identified the names of Thomas Hogan and John L. Simpkins in his hotel register for November, 1905. Hogan, or Orchard, was at the hotel with Simpkins on Nov. 13.

SIMPKINS AT NAMP. The presence of Simpkins at Nampa on Nov. 7 and at Silver City, Idaho, on Nov. 8, 1905, was established by A. Hukey and J. A. Connors, hotel keepers in the respective cities.

During the giving of this testimony, Haywood's mother, a gray-haired, kindly faced woman wearing spectacles, entered the courtroom for the first time and took a seat beside the prisoner's wife. Haywood's sister also was present today for the first time.

C. H. WENTZ KNEW SIMPKINS. Following Hukey and Connors on the stand came C. H. Wentz, a bookkeeper of a mining company at Wallace, Idaho, and formerly in a bank at Nampa. Wentz said he knew Jack Simpkins, one of the men alleged to have had a hand in the murder of Gov. Steinberg, and was acquainted with his handwriting. He identified the photo of Simpkins, which was offered and accepted in evidence over an objection from the defense. Wentz also identified Simpkins' signature in

the various hotel registers. Simpkins some time went under the name of Simmons. The hotel registers were allowed in evidence by Judge Wood, the defense objecting and excepting to the ruling. Wentz was not cross-examined.

Guy Peight of Nampa told of seeing Orchard and Simpkins in company at Caldwell prior to the assassination of Gov. Steinberg.

Haywood took no testimony in a book during the examination of the witnesses today.

There was a delay of several minutes after the conclusion of Peight's testimony. Senator Borah simply announcing: "The next witness will be here in a moment."

INTENSE EXCITEMENT. Immediately there was intense excitement in the courtroom, the report quickly spreading that Orchard was the man next expected in the witness chair, the crisis of the case being reached with his testimony—the testimony of the confessed slayer of Steinberg, the man who has never been apprehended. The wait of five minutes seemed like so many hours. Orchard had spent the night in Boise and had been sent for. Finally to relieve the strain and restlessness in the courtroom came the loud voice of Hawley, for the state, saying:

"CALL HARRY ORCHARD."

"Call Harry Orchard." Hardly had the words left his mouth when Orchard appeared at the door leading from the prisoner's section of the building. He was attired in a natty grey suit and walked with a firm step. He was preceded to the witness chair by Deputy Sheriff "Ras" Beamer, a stalwart fellow more than six feet in height, and was followed by another deputy from the penitentiary. Orchard had to pass directly in the rear of Haywood and his family. His eyes were cast down.

Arriving at the elevated witness stand, Orchard, for a moment, with hand uplifted while the clerk delivered the oath.

"Where do you live?" asked Mr. Hawley.

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

"I was born in Northumberland county, Canada, in 1886, and am therefore 41 years old," went on the witness in answer to Hawley's questions.

ORCHARD BEGINS. The prisoner turned his glance for a moment at Haywood and then said:

"I am charged with the murder of Frank Steinberg and am awaiting trial."

"I was born in Northumberland county, Canada, in 1886, and am therefore 41 years old," went on the witness in answer to Hawley's questions.

HIS STORY. "Harry Orchard is not my true name. I have gone by that name for about 10 years. My true name is Edward Boyce. I came to the United States in 1896, first to Spokane, where I remained a week. I went to Wallace, Idaho, in March, or April, 1896.

"I was first employed by a man named Harry Orchard, who was driving a milk wagon and remained there until about Christmas, 1896. I then went to a wood and coal yard in Burke, Idaho, and was engaged in that business until about Christmas, 1897.

"In 1898 I sold a half interest in the business to Mr. McAlpine. My business in Canada was making cheese. I sold all my interests in the wood yard and went to work in the mine in March, 1899. I went to work at 'mucking' and continued at it for a month. I became a member of the Western Federation of Miners as soon as I went to work in the mines."

Orchard said he joined the Burke Idaho, local of the Western Federation of Miners. He said he was a member of the Couer d'Alene county to Mr. Hawley, giving the railway connections between the district cities and mining companies.

While Orchard testified Deputy Beamer and his assistants stood at the side of him and about three feet in the rear of the witness chair. When Orchard first came in there was a stir in the courtroom and several persons started to raise in their places. Half a dozen bailiffs chorused in unison a loud command to be seated.

COEUR D'ALENE TROUBLES. "State what unusual occurrence there was at Burke on the morning of April 29, 1899," commanded Hawley from the witness chair.

"We object to that," shouted Atty. Richardson for the defense.

"What occurred in 1899 can have nothing to do with this defendant who was not elected a member of the executive board of the Western Federation of Miners until long after these troubles. Counsel stated yesterday knew nothing of the workings of the inner circle."

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

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

Orchard proceeded, said:

"On the morning of April 29, 1899, when I got through breakfast I was told there was a special meeting of the union and everybody was expected to be present. I went to the meeting. Richardson objected again, saying there was absolutely nothing connecting Haywood with this meeting. The objection was overruled."

DECIDE TO BLOW UP MINES. "The meeting was called to order," continued Orchard, "by the secretary who said it had been decided that day to go to Wardner to blow up the mill at the Sullivan and Barker Hill mines and hang the superintendent."

Again the witness was interrupted by Haywood's counsel, who demanded to know how the defendant was to be connected with the Couer d'Alene troubles. Senator Borah replied for the prosecution, saying it would be shown that Haywood came into the inner circle with a full knowledge of what had been done and entered into the conspiracy. This would be shown, Senator Borah declared by Haywood's writings. Senator Borah said it was necessary to go into the Couer d'Alene troubles, which were suppressed by Gov. Steinberg to show the motives for the hatred of Steinberg and his eventual taking off.

Judge Wood said he would allow the prosecution to show general conditions in the Couer d'Alene and Gov. Steinberg's part in it. He said he would not allow the witness to go into details. The defense noted exceptions to the court's ruling and Orchard was needed.

ARRANGEMENTS. "Arrangements had been made to cut the wires along the railroad and take possession of a Northern Pacific train. At Boise were to be joined by the Gem union and together we were to proceed to Wardner. While the secretary was telling us what was planned by the central union, the president of our local came in and said he had not been informed of the meeting. When told the purpose, he objected to it and there



THE HAYWOOD JURY. Twelve Men Who Are Now Listening to the Evidence in Idaho's Great Criminal Case.

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| 1. Thomas B. Goss. | 5. George Powell. | 9. J. A. Robertson. |
| 2. Finley McBean. | 6. O. V. Schern. | 10. Levi Smith. |
| 3. S. D. Gilman. | 7. H. F. Muscare. | 11. A. P. Burns. |
| 4. Daniel Clark. | 8. Lee Schriener. | 12. Samuel Russell. |

was a discussion. The motion to go to Wardner was finally carried by a small majority. After the vote nearly every man decided to go.

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

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

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

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

SET FIRE TO FUSE. "I lit one—I don't know who lit the others."

Orchard said two men were killed in the explosion. "This in the yard of the United States troops came into the Couer d'Alene."

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

"Gov. Steinberg," Orchard replied.

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

"Yes, sir."

"We would have any opposition from the governor; that we had always supported him and could control him. He said to be careful about interfering with the federal authorities."

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

"Who was president of the Western Federation of Miners at this time?" asked Hawley.

"Edward Boyce," replied the witness.

ORCHARD IN UTAH. After two weeks in Butte, Orchard said he went to Utah and began working at the Ben Butler mine near Salt Lake City. Later he went to the Little Lostwood mine.

During Orchard's testimony, Haywood sat hunched up close between Messrs. Richardson and Barrow, one or the other of whom was always constantly on his feet to object and put forward an exception to the character of testimony allowed.

Orchard went to California in November of 1900 and drifted from there to the mines of Arizona, where he worked until March, 1902. From Arizona he went once more to Utah, returning later to Idaho.

He ran away into a tunnel. We did not find him now and came out of the mine unharmed.

VINDICATOR MINE BLOWN UP. "In November some time W. F. Davis and Sherman Parker, who were in charge of the strike, came to me and asked if we couldn't send a bomb into the Vindicator mine and ruin it. I said they would give me \$500 for it. I went to Schultz about it, but he said he did not want to do it for they had not paid him for the last time he went into the mine. A man named Barker then said he would help me. I got 30 pounds of giant powder and arranged it with giant eggs which were to be set off by the lifting of the guard rail as the case passed the seventh level. We placed the bomb but did not hear anything of it for about a week when it finally exploded. Supt. Chas. McCormick and Mel Beck, a shift boss, were killed. I saw Davis and Barker after this at the miners' hall and we talked it over a little. I went home with them that night. I told them I was broke and wanted money, and they said they would have to get it from headquarters in Denver. That night they wanted me to go to Victor with them. I held back at first, but they said there was no reason to fear, and I finally went. I asked again for the money, saying I might have to get out. Parker said he would give it to me the next day. The next day, however, both Davis and Barker were arrested—the day following the meeting at Victor. W. B. Easterly was also arrested, but released on habeas corpus. He went to Denver and I followed him, where I went to see Haywood and Meyer in their offices in the Miners' Exchange building.

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

DIAMOND THIEVES HAVE CONFESSED

Two Admit They Received Stolen Jewelry Here From Safe Cracker.

DETECTIVE SHANNON BACK.

Recovers Stones at Reno Where They Had Been Disposed Of by Robber.

Captain Burbridge and J. Fred Daynes Return From Denver Bringing With Them Three Prisoners.

Capt. John B. Burbridge of the Salt Lake police department, accompanied by J. Fred Daynes, returned from Denver last night about 11 o'clock. In custody were Ed Phillips, Frank McFarland and Ed C. Jennings, three of the eight men arrested in Denver on the charge of receiving stolen goods, diamonds and watches stolen from Daynes' jewelry store when the big Hall safe was cracked some time ago. Mr. Daynes identified about \$1,500 of the stolen property recovered through the diligence of the local and Denver police.

Diamonds and watches, known to have been stolen from the Daynes store, were found in pawn shops, gambling houses and opium dens in Denver.

Phillips was captured by Sheriff Nesbit of Denver and through the arrest others were captured. After the arrests a large quantity of the jewelry was located and recovered and has since been identified by the owners. After the men had been placed behind the bars, Capt. Burbridge was sent to the Colorado metropolis and after arriving there lost no time in sending for requisition papers. The three men did not know that they were to be brought back to Salt Lake until after the papers arrived and Capt. Burbridge and other officers went to the jail, secured the men and started on the return trip.

When the party was about to board the train at Denver, Mrs. Jennings and Mrs. Phillips were on hand and tearfully said goodbye to the prisoners. Sheriff Nesbit, who accompanied them, observed that Mr. Jennings was wearing two of the rings stolen from Daynes. These were taken away from her and brought here by Capt. Burbridge.

ADMIT THEIR GUILT. Capt. Burbridge stated this morning that he had no trouble whatever with his prisoners and stated that Phillips and McFarland admitted that they received the stolen goods, or some of them, from a man named Munroe, one of the men who cracked the safe. They said they got the jewelry in Salt Lake and immediately went to Denver. Jennings did not make a statement and refused to talk.

This morning the case was sent for counsel. Jennings is represented by Atty. William Newton, and it is understood that Atty. Soren X. Christensen will look after the interests of the other two. The prisoners, by counsel, sent out telegrams this morning but to whom was not made public.

In connection with the work of Captain Burbridge in Denver, efforts have been made in another direction to apprehend at least one of the cracksmen and recover some of the jewelry.

ONE WENT TO NEVADA. After a package, containing watches and diamonds, had been shipped to Denver, the crack named Munroe, from whom Phillips and McFarland admitted they got some of the property, shipped out for Reno, Nev. As soon as the local police "got a line" on this man, Detective Dick Shannon was sent there to work up the case at that end of the line. Shannon left quickly for Reno about ten days ago and few knew that he had gone. He returned last night.

SHANNON ON THE TRAIL. Here is what a Reno paper had to say about the arrival of Shannon and the work done by him and the police of that city:

"One of the cleverest pieces of work done by the local police department in some time was accomplished Saturday when a number of diamonds which had been stolen from a Salt Lake jewelry store were found in the possession of a man who has been working in Reno for some time and who is thought to be a 'fence' for an organized gang of thieves, of which the Reno man's brother is believed to be the leader."

"On the 20th of April the jewelry store of John Daynes & Son in Salt Lake City, was burglarized and jewelry and precious stones of various sizes and kinds to the amount of \$14,000 were stolen. Shortly afterward some of the stores were found in Ogden and others in Denver, where they had been sold, but no trace of the suspected man was found."

SEARCH INSTITUTED. "About a week ago Chief Leeper received a wire from Salt Lake stating that it had been learned that a brother of the suspect was tending bar at Reno and that it was probable that some of the loot had been sent here to be disposed of. No description of the men was available, but upon the arrival of R. L. Shannon, a police officer from Salt Lake, the Reno officers began their search."

"Last Wednesday they located their man in the person of C. W. Harrington, who has been employed in 1901 by the local saloons as the first of April. He was immediately arrested. That same morning, it afterward developed the man who had been suspected of the robbery had come to Reno, but soon as he learned of the arrest of his brother he left the city."

SAFE CRACKERS' KIT. "Harrington, when taken to the police station, was put through a most rigid questioning. He has been living for some time in a little cabin back of the Baptist church. A search of that cabin showed that the man is a criminal of some importance. A grip containing safe cracking tools of the finest kind was found, but no explanation of

one of the trials about a liquid which was used in the cracking of the safe, but we must be careful not to use any of the liquid soon or he might be connected with it."

Orchard said he afterward went with Meyer to the Territory county in connection with the injunction proceedings which the union took against the citizens to prevent their molesting miners who returned after deportation.

At this portion of the testimony the luncheon recess was ordered until 1:30 o'clock.

Orchard retired in custody of bailiffs and detectives.

IDAHO LAND CASES.

Defense Absolutely Denies Each and Every Allegation of the Indictment.

Portland, June 5.—A special to the Oregonian from Moscow, Idaho, says:

An absolute denial of each and every allegation set forth in the indictment was the cardinal feature of the opening statement of the defense in the north Idaho land conspiracy case this morning. The defense will seek to prove, Atty. Moore stated that W. D. Meyer, defendant, and C. V. Roberts, co-conspirator, acquired lands upon their own responsibility and that the money which they got from the Lewiston National bank was a regular business transaction in no way connected with the land acquisition negotiations. At the conclusion of the statement, more than a dozen witnesses were called, almost all of whom are closely identified with the bank, who used the Lewiston National bank as a source of important witnesses for the prosecution, relative to their truth and veracity, was bad.

COUNTY SCHOOLS COMMENCEMENT

Two Hundred Eighth Grade Graduates Receive Certificates in Assembly Hall.

Beginning at 10 o'clock and lasting until nearly 2 this afternoon, the fourteenth annual commencement of the Salt Lake county schools was held in the Assembly hall today.

The features of the program were a number of "sentiments" by various students, a valedictory by Leonard Porter of Bingham, and an address by M. J. Phillips, president of the school board. The diplomas were presented by Supt. Smith at the end of the exercises.

The program was commenced with a quart by Mary Graft and Estelle Cook, an invocation being effected by Rev. Chas. H. Lewis of Bingham. During the program musical numbers were rendered by the graduates of East Jordan, the graduates of the Jordan district, the graduates of Forest Dale, the graduates of Granite, and at the close the "Star Spangled Banner" was sung by the entire assembly in chorus.

Mrs. Little Cornwell delivered an address of welcome, while Louetta Bells followed with an amusing paper on "Incidents of school life." Brief comments were made by Ernest Greenwood, Leda Sadler, Ethelyn Benning, and Estelle Best. The commencement is declared to be the best yet held by County Supt. Smith.

BOY'S BODY GOING HOME.

Subscription Started to Pay Expenses of John Burleson's Funeral.

John Burleson, the young man who was killed yesterday afternoon as a result of a collision with a delivery wagon, was conscious just before he breathed his last and managed to say that his relatives reside at Argentine, Kan. The unfortunate boy's parents were notified by his relatives and arrived last night the manager of the A. D. T. received the following dispatch:

"Bury there; make no unnecessary expense. I am a poor man. Mail bills are due. Funds for my family. Ship belongings C. O. D. Will write."

"J. S. BURLESON."

As soon as the message was received, efforts were made to secure sufficient funds by subscription to ship the remains to the relatives. About \$250 is needed for this purpose, and it is believed that the amount will be raised. Contributions have already been received and the body will in all probability, be sent to Argentine as soon as possible.

Some one on the mining stock exchange floor this morning suggested that a sum be raised as a contribution towards the fund to be used in sending the body of John S. Burleson to his father in Kansas. Burleson was the youngest boy who was killed yesterday afternoon. The idea carried and brokers tossed quarters, half dollars, dollars and gold pieces to Jesse A. Cannon, who acted as recorder. Milton Joseph and others went among the spectators and collected a good sum. Within a few minutes \$75 was raised. This and unused will be turned over to the proper persons to help defray the expenses of sending the boy's body to the broken hearted parents.

L. M. SULLIVAN OF GOLDFIELD ARRESTED.

New York, June 5.—L. M. Sullivan, of the L. M. Sullivan Trust company, of Goldfield, Nev., was arrested here today on a civil order in connection with the case of Frank R. Colton of Pittsburg, who is accused of having stolen a large sum of money from Sullivan's company, which Colton says he was permitted to purchase a year ago. Sullivan was placed in custody of his counsel.

PATENTS ISSUED TO WESTERN INVENTORS.

(Special to the "News.")

Washington, D. C., June 5.—Patents issued: Utah—L. H. Erickson, gunnison ditching machine.

Idaho—Samuel L. McReynolds, Boise, yielding draft attachment for vehicle.

Emmie L. Reed has been appointed postmaster at Bellevue, Blaine county, Idaho, vice M. M. Higgs, resigned.

Rural mail delivery route No. 1, has been ordered established Aug. 1, at Marysville, Owyhee county, Idaho, serving 400 people and 90 families.



HARRY ORCHARD.

The Latest Picture of the Confessed Murderer of Former Governor Steinberg Who Took the Witness Stand Today at the Star Witness for the State in the Haywood Trial.

HE MET MOYER.

"I met Moyer several times during the trial when he followed the explosion. Moyer was attending the trials and said he thought we ought not to do anything while the trials were in progress. A man named McKinley testified at