

## GOV. ORCHARD WANTS HARRY ORCHARD.

Governor McDonald Issues Requisition for His Return to That State.

NO DOUBT OF HIS IDENTITY.

Man Held for Steunenberg Assassination Charged With Dynamiting Independence Depot.

If by any chance he should not be held in Idaho for the assassination of former Gov. Steunenberg, Harry Orchard will be brought to Colorado and tried for murder in Teller county. He is directly charged with the dynamiting of the Independence depot and the murder of J. A. Hartsock and 12 other men in June, 1904.

In the hearing before Gov. McDonald yesterday afternoon on the application for a requisition, the question whether the governor of Colorado ought to make a request for the prisoner inasmuch as he is being held for the murder of a former governor in the state of Idaho, was discussed, and it was concluded that if the man was wanted in Idaho, and the authorities there believed they had sufficient evidence to convict, of course no extradition would be issued. But if it was not thought the case was sufficiently strong to hold Orchard, then immediate action should be taken here so that Orchard would not escape.

The Mine Owners' association has spent more than a thousand dollars in attempting to locate Orchard shortly after the explosion. Gov. McDonald issued a requisition for Orchard's partner, J. J. Nevill, and he was brought from Wyoming. The evidence was insufficient to hold Nevill on the charge of murder, and he was released. It is claimed by those acting for the Mine Owners' association that Nevill and Orchard drove away together in a buggy from the vicinity of the dynamited station on the morning of the explosion. It was represented at the hearing yesterday that prior to the blowing up of the station Orchard had made a trip to the large eastern cities collecting money for the Western Federation of Miners, to aid the strike fund in the Cripple Creek district.

In the affidavit sworn to by Deputy Dist. Atty. C. A. Gillette of Teller county and yesterday presented to the governor it is asserted the whereabouts of Orchard were not known until the past week.

FOR ORCHARD'S ARREST.

On the allegations of this affidavit a capias for the arrest of Orchard was issued, directing the sheriff to produce his body before the district court of Teller county on the 6th of February next.

Among other recitals in the affidavit of Sheriff Bell, sworn to yesterday, is the following:

"That the said Harry Orchard, on the 8th day of June, A. D. 1904, did, in the town of Independence, and in the county of Teller and state of Colorado, lay an infernal machine under the depot of the Florence & Cripple Creek Railroad company, and did explode the same by a wire laid to and connecting with said machine, and did at that time, explode said infernal machine, and by said explosion did kill and murder the said J. A. Hartsock, together with 12 other men; that the said Harry Orchard escaped and fled to parts unknown to the officers of this county, and that his whereabouts have only been discovered within the past week.

Sheriff Edward Bell, Attorney S. D. Crump and a special detective employed in the case, appeared at the hearing before the governor.

The requisition was allowed, and the three parties named started for Independence, where 14 men were killed, and the Harry Orchard under arrest at Caldwell, Ida., for complicity in the assassination of former Gov. Steunenberg, being one and the same man is now removed.

Private advices were received yesterday morning from Caldwell to Sheriff Bell establishing positively the identification of the man wanted.

In addition to this, Mrs. Harry Orchard, who with her children, occupies a small home near the Independence depot, yesterday had a long talk with the sheriff in which she confessed having received letters during the past few years from her husband in Caldwell. She says her husband is the man wanted for the Independence affair and that he is the man also accused of the Steunenberg assassination.

James J. Sullivan, an attorney of Denver, with offices in the Ernest Corner block, has appeared at Caldwell as attorney for Orchard. Attorney Hassen of Spokane also arrived on the same mission. Hassen is the lawyer to whom Orchard referred when he was first placed under arrest. Sullivan's connection with the case is proving a surprise, although he has handled labor cases before, in connection with his partner, Henry Cohen. Sullivan is the attorney for Pansini, the Italian barkeeper, who was dumped after the failure of the North Denver bank.

A dispatch from Boise yesterday states that a strange man occupied a

room with Orchard the first week in November, and that he is supposed to be Charles H. Meyer, president of the Western Federation of Miners, who was at Silver City, N. M., Oct. 26.

The telegram further says that testimony is at hand to connect Orchard with the Steunenberg assassination.

FORMAL CHARGE OF MURDER.

From the day the Post printed the exclusive story that Orchard was wanted for the Independence explosion as well as for the Idaho affair, the authorities of Teller county have been exceedingly active. As a result, Deputy District Atty. C. A. Gillette filed an information in the district court, formally charging him with the murder of Hartsock. Telegrams were also dispatched to Caldwell by Sheriff Bell and by Gen. Sherman Bell urging that Orchard be held at all hazards until the officers of Colorado could reach there.

The sheriff said Mrs. Orchard admitted having received letters from her husband dated Caldwell and Boise during the past two weeks and that "the expected serious result of the explosion."

"You can tell the people for me through The Post," said Sheriff Bell, "that we expect to have this man in Colorado, unless the Idaho officers concede to him for the Steunenberg murder; and that we shall secure from him enough information to place a dozen more men behind the bars, probably for life. We have such a strong case against this fellow that I have no doubt in the world he will loosen up and confess, giving us the names of his accomplices, of which he had several. It will be to his advantage to do so, and I know we shall convince him of the wisdom of such a course."

It is said that a companion of Orchard who was mixed up in the Independence affair is now under arrest at Cripple Creek, but his name and all the circumstances are being kept a profound secret.

The feeling against the men who blew up the depot is so strong throughout the county that should the accused men be brought back Judge Lynch may be called into service. Sheriff Bell admitted this, but says he has amply fortified himself and is prepared to handle the situation, no matter how serious it may become.

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