

## Haywood's Testimony

### Tells of His Connection With Union in Straight Forward Way—Makes a Good Impression

Boise, July 13. Thursday afternoon the man who is being tried for his life was put on the stand. Haywood's manner was quiet and self-sustained. He gave his answers in a cool matter-of-fact way that gave little opportunity for Borah's bulldozing. The local papers fairly bristle with accounts of Haywood's nervousness, his blundering and incriminating answers, and how he has sustained Orchard's allegations in every particular except the admission of the crimes.

Such tales are absolutely fantastical. Haywood has acquitted himself with the greatest credit, and his plain straightforward story has had a visible effect on all that were privileged to hear him.

In this drama of greed versus human life Haywood seems somehow to represent superlatively the typical proletarian element.

Marxian students may remember a passage in the "Eighteenth Brumaire" where Marx decides the difference between bourgeois revolutions and proletarian revolutions. He speaks of the brilliancy, confidence and rapid consummation of bourgeois revolutions, and of how slow and halting are proletarian movements. The later lack of confidence, move forward with a rush, are thrown back, but keep gathering again.

The typical proletarian lacks confidence when brought into direct contact with bourgeois conventionalities. He does not fit in to the artificial conditions with which capitalism has hedged itself around for its own protection and perpetuation. The working man may be courageous, aggressive, even brilliant in dealing with the affairs of his own class, but when he touches capitalism he touches a different civilization from that which he and his fellows are moving forward to realize in the world's history.

Haywood is the socialist of the three accused men. From his reading and study he understands something of the historic function of the working class. He has nothing in common whatever with the capitalist class and its ideals. His whole make-up and inclination is to knock the stuffing out of the system that oppresses him. So aggressive is he by nature that when assaulted by the soldiers at the union depot in Denver, when he went to shake hands with Moyer after his imprisonment, he fought the whole company, and only ceased his own self-protection when overwhelmed by numbers, and brutal beating.

As he gave his testimony every socialist felt that there was the man who was speaking the instinctive aspiration and determination of the working class. Even though bound, beaten, imprisoned and hanged, even though he had committed every crime that the mine owners have brought to his door—still he is ours, fighting the fight of his class against the shameful and unrighteous slavery of all who do the work.

Haywood is 38 years old. He related the circumstances of his early life, his marriage, how his wife's invalid condition began after the birth of the youngest child. As these sad memories were brought up one after the other, the patient wife begins sobbing, but is soothed by the mother and quiets herself.

Haywood joined the Western Federation with the union in Silver City, Idaho, where he was a charter member. He was appointed to write the resolution of his union on the Coeur d'Alenes trouble, and wrote it in the mine on the bottom of a candle box. Borah showed much curiosity in regard to this resolution, and asked for a copy of it, and if it could be found in the files of the Miners' Magazine.

It will be remembered that a man by the name of Stewart from Silver City testified that during the reign of terror in the Coeur d'Alenes Haywood had said that Steunenberg ought to be exterminated. Haywood said that this fellow was the only scab in the camp, and that his own language had been that Steunenberg ought to be re-

legated and that he had helped to relegate him politically.

When asked as to his personal feeling towards Steunenberg, he said he regarded him the same as every other politician—swayed by capitalist interests.

He told at some length of the purposes for which the union was formed, of meeting Orchard first at the Denver convention of 1904, called for the unions of the state to consider the political situation. He denied that he or the Federation had ever had any dealings with Orchard except in a general way as any other member.

In giving the history of the Cripple Creek strike he said the unions had established the stores in self-defense after the merchants had refused credit to the miners and raised the price of their goods.

As in the case of Moyer's testimony Borah laid particular stress upon how the Federation came to take up Orchard's case after he was arrested for the murder of Steunenberg. The papers had stated that a postal card addressed to Moyer was found in Orchard's suit case. Within two or three days after the crime the papers announced that the W. F. M. was responsible because of Steunenberg's connection with the Coeur d'Alenes troubles.

It had been the custom of the Federation from the beginning to find lawyers and money at once when information was received that the Federation was being attacked, as was being done all the time and in every conceivable way by the wolfish mine owners. They are always waiting, ready to spring at the throat of the unions on the slightest pretext. It is only through the strength of the mutual protection and watchfulness that the organizations of the working class can live at all.

On the cross-examination Borah dwelt particularly on the feeling in the Federation against Steunenberg. Haywood said they looked upon him as one hostile to labor, and untrue to his oath of office.

Haywood was questioned in regard to all the methods of the unions for their protection as though they were crimes against society. And it was more and more evident to the careful observer that the arch crime that the unions commit is lessening the profits of the men that hire labor.

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Boise, July 14. Saturday morning the defense astonished the court by announcing that it rested.

Immediately the prosecution began to call its witnesses on rebuttal. This whole proceeding on the part of the state was particularly stupid. One point especially was so far-fetched as to be positively ridiculous. And that was the attempt made through R. E. Grimshaw, tax collector of Lawrence county, South Dakota, to introduce evidence of John M. O'Neill, editor of the "Miners Magazine," having been convicted of manslaughter years ago when but a youth of 23. As the record showed that the killing was accidental when both men were under the influence of liquor, and as O'Neill served his time, and had been back to the country since as a public speaker, it was indeed a mystery to ascertain how this circumstance could possibly affect Haywood's trial for the murder of Steunenberg.

A strenuous effort was made to dispute Elliott's testimony. This is the old soldier who swore to meeting Orchard on the train, and having a conversation with him relative to the mine owners' breaking up the unions. Employees of both railroads were brought to exhibit train times on certain days. But the showing was simply a huge bluff.

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## Statement by Mrs. Moyer

### Denies That She Ever Tried to Have Her Husband Turn Traitor—Remains True as Steel

Mrs. Moyer has issued the following letter which is self-explanatory: Editor Denver News—

Will you kindly print a statement from me in regard to an article in the issue of your paper of July 6th, containing a rumor to the effect that I was trying to influence my husband to desert, at this late day, the cause for which he has spent seventeen months in an Idaho jail.

My husband has nothing to "confess," if he had he well might merit my contempt and that of all right thinking people should he turn "state's evidence" or become a traitor to the organization whose welfare he has always had so much at heart, and for which he has suffered so greatly.

I wish to state emphatically that I positively have no speaking acquaintance and do not even know by sight the so-called leader of Boise society, that her husband is owner of the Statesman, a paper that tried these cases and convicted the men long before the jury was even selected.

Scarcely probable is it that I would be so weak-minded as to permit myself to be influenced by people whose methods are so completely antagonistic to my husband's interests, especially when I have never thought for one moment that I ever was in danger of being "made a widow through the verdict of the jury," as your paper so delicately (?) puts it, simply because I have always been firm in my conviction that no jury could ever find my husband guilty of anything except it might be loyalty to the working class, and this loyalty I can assure you is fully endorsed and commended by myself, and always has been notwithstanding all reports to the contrary.

I must say that I am surprised that a paper as fair as the "Times" has been, would give enough credence to such a rumor as to print it. I can well understand the anxiety of such correspondents as the "New York World" and some others to find sensational features in this case, and if the case does not furnish them, they must manufacture a story to suit themselves or what they may think the occasion warrants. In my opinion these reporters had better confine themselves to correctly reporting the evidence as brought out by the defense, as well as the prosecution.

I trust you will give this a prominent place in your paper, as I feel that I have been maligned and wish to assert my loyalty to the working people as well as sympathizers who have come forward so nobly to our aid in this the hour of our greatest need.

Mrs. Chas. H. Moyer.

Boise, July 9. The trial is lagging unacceptably on account of the tiresome reading of the depositions taken in the Bradley case in San Francisco. There are 386 pages of tiresome stuff, and the reading of the mass of material by the attorneys is so insufferable stupid that, as Ras Biemur, the chief bailiff, said "even socialists could not stand it." The court room is always deserted, even the most of the reporters being conspicuous by their absence. Seven spectators were in the court room when court opened this morning.

Lawyer Van Duyn for the prosecution and Fred Miller for the defense have been in California taking these depositions, and the whole evidence is being presented to this court. Mr. Darrow reads the testimony presented in the California court by the defense, and Mr. Borah or Mr. Hawley for the prosecution. All the direct and redirect examinations have to be read. Yesterday three depositions were handled regarding the explosion that Orchard says he set off to kill Bradley, once superintendent of the Bunker Hill and Sullivan mine at Wardner, Idaho.

The principal ones of these are the testimonies of Mr. Linforth, owner of the flats in which Bradley lived, and of Mr. Bradley himself. The witnesses testified positively to all the circumstances showing that the explosion was caused by gas and not by powder. Mr. Bradley said he was perfectly familiar with the smell and the action of powder, and the accident was not

caused by powder. He said leaking gas had been smelled in the building for several weeks. The first intimation he had of the disaster was seeing a flash at the end of his cigar. His first thought was that some one had fixed a loaded cigar for him.

The San Francisco evidence is one of the most valuable features of the trial so far as the defense is concerned. It absolutely places the lie upon Orchard's bogie stories, from unimpeachable legal evidence, a matter of record, and outside of the testimony of the Western Federation of Miners themselves. Now if Orchard has undeniably lied about so serious an accusation as the San Francisco affair, it shows that his touching conversion was not so deep, so thorough, or so true but what he would manufacture an absolutely false tale in order to lend himself to the machinations of the Pinkertons in throwing odium upon the Federation and hanging its officials in order to get the union out of the way of the rapacity and greed of the mine owners.

If Orchard lied in this one instance, the whole structure of his confession is falls to the ground even though he may have woven much truth into the fantastic yarn. His purpose is plain in attempting the destruction of the Federation consequently no part of his statement is trustworthy.

The unqualified dictum of the Idaho law that the evidence of an accomplice must be supported by sufficient corroborative evidence outside the confession is a protection to the accused that is amply illustrated in this case.

One would hardly learn that Haywood was on trial from sitting in the court room. He is never made a subject of the discussions. The sole topic of the prosecution has been Orchard, and of the defense the Colorado troubles.

The prosecution launched the conspiracy charge first with Orchard as the mainstay to its ship of death. The defense hurled back with a counter-conspiracy against the working class whose revelations of villany, cruelty and conscienceless brutality have astonished the world with preconceived ideas as to the justice and decorum of the established ways of the leaders in social activities.

In the meantime the necessity of proving Haywood specifically guilty, has been almost lost sight of, and the whole country is laughing at the collapse of the latest wild and woolly western fake boom. This huge inflation has been Pinkertonism, and it is now time for the working class to get in their innings on this miserable scam that is harassing and sapping the vitality of any intelligent activity to better their condition. There could be no worthier field for the determined activity of the workers from now on than a merciless campaign of extermination against the filthy disease of capitalism. These traitors, informers and rascals should be ruthlessly hunted out of the labor ranks, and made an example. Their presence is an imposition and insult to the rights and dignity of labor, and the working class should free itself from this system of class espionage at any cost.

There is little probability of the trial closing before August.

It is expected that the prosecution will do its heaviest work on rebuttal. The crowd of defense witnesses has departed, with a separate celebration as each contingent left the scene. Many of the witnesses were not used, among them some of the best men on the spot, as Carey of Burke, and A. H. Foaten of Denver. The attorneys considered that they had fully established the points intended, and that more testimony along those lines was not necessary to strengthen the case. The Pinkerton thugs are sullen and growling. If there ever was a walking illustration of Shakespeare's characterization as "flat, stale and unprofitable" every Pinkie loafing around Boise is that unlucky individual at present.

These despicable varlets can only

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## Moyer on Witness Stand

### Explains Workings of the Western Federation and How They Protect Their Members

Boise, July 11.

Thursday morning the defense attempted to prove by Mr. Tierney, correspondent for the Rocky Mountain News and Denver Times at Boise, the dreadful and disturbed political condition that existed in Colorado during, and as a result of, the labor troubles there. The prosecution made strenuous objections to this testimony, where upon Darrow plead that the state had charged that Orchard, in the blowing up of the Independence depot, was acting for the defense because of the resentment of the unions at the supreme court decision on the eight-hour law. Mr. Darrow said they wanted to show by this witness the public mind and that other interests were as much inflamed as were the labor interests at that time, and he asked to have the jury sent out while he argued the admissibility of the evidence.

Mr. Tierney was one of the men elected as a democrat to the legislature, who was unseated in the election disturbances. Intense excitement prevailed in Denver, nooses for the judges were displayed in the windows of the stores, flags were hung at half mast. The night before the close of Peabody's term he appointed Goddard, who had been a democrat, to the supreme bench. Adams was ousted by the supreme court. Peabody served a day and resigned, the lieutenant-governor taking his place. Threats were rife against Peabody and the supreme court.

After Darrow's argument the judge sustained the objection of the prosecution.

Tuesday afternoon Mr. Moyer came to the stand. His testimony and cross examination lasted two days, and has proved the crucial part of the fight between the two contending forces.

Mr. Moyer's very presence commands respect and attention. Every word uttered by him was carefully weighed and spoken with deliberation, judgment and forethought. When Borah was trying to break him down on the cross-examination it was evident that the representative elements on each side of this labor fight were facing each other. Moyer's replies were cool, quiet, courteous, even respectful. He easily had the upper hand in the given and take. It was plainly to be seen that Borah was making superlative efforts to fasten the responsibility of Steunenberg's murder upon the Western Federation through the admission of its president.

But President Moyer was ready at every trap. His answers were convincing, solid and dignified. He is far the heaviest witness the defense has put up. The Western Federation of Miners has made no mistake during these years in its choice of a head. It took a cool, logical brain and great strength of mind to meet the trying ordeal that the senator attorney presented to the man he would so gladly annihilate. Senator Borah used all the wiles of his naturally active and powerful brain. A tense atmosphere pervaded the court room. If Borah is ever to make good in this case, it must be with the two witnesses who are on trial.

Mr. Moyer said he was 41 years of age, had been a miner and laborer all his life. He was born in Mangoon, Iowa, and joined the W. F. of L. in 1897. He told of his union activities, the methods employed in the Western Federation of Miners and the constitution of the organization was placed on exhibition. When he first became president, 22,000 miners were in the Federation. At this last convention 40,000 were represented. He told of the strike conditions in the Coeur d'Alenes and Colorado, and of the protests against calling out the militia.

The prosecution has numerous witnesses that have gathered in here to show the necessity there was for calling out the militia in Colorado.

Considerable time was spent on the eight-hour law and its fate, and how the strike at Telluride grew out of the demand for it.

Impeachment questions were asked regarding Orchard's testimony, and he said that he never met Orchard till

March 1904, in his offices therefore he could have had no conversation with him in regard to the blowing up of the Vindicator mine. Asked if he gave Orchard money during the Cripple Creek trial for his good offices in connection with the Federation, he flatly denied it. He told of how Orchard came to go as a body guard with him to Auray. Orchard had asked about the advisability of going down into the San Juan camps for work. Such violence had been shown to the union men in that part of the country that he had intended employing some one to accompany him when he went over there. A number of the Federation members were talking of going over there about that time, but when he got ready Orchard was going away in a few days, and said he would just as soon wait and go with Mr. Moyer as a matter of precaution. The recent beating up of the coal miners' organizers had made prudent considerations necessary.

They asked Mr. Pettibone to procure the guns for them. Mr. Moyer let Orchard keep the one he carried. His own had never been fired and therefore could not have killed Lyte Gregory.

At Auray Mr. Moyer was arrested at the request of the sheriff of San Miguel county, where the strike was on without any charge. He told of his arrest for desecrating the flag because of a poster issued from Federation headquarters, of his arrest at Telluride and incarceration in the bullpen, and the indignities heaped upon him, and how he refused to clean the streets.

While he was giving this testimony, Riddell, the exposed Telluride Pinkerton, came in and Mr. Moyer identified as the man who was in the bullpen with him.

The W. F. M. was the only organization that has offered any reward for the apprehension of the perpetrators of the Independence depot crime. Five thousand dollars being the amount offered.

No money was given to Orchard for crimes or any other purpose by the W. F. M. except for strike benefits.

Mr. Moyer testified that it was common for blacklisted men to change their names at different points in order to get work.

The W. F. M. ritual with its cipher and pass word code was put on exhibition. After the Steunenberg murder a cipher telegram was received from Simpkins at the Federation headquarters, looking towards counsel for Orchard, or Hogan as he called himself, which was in the possession of the attorneys for the state. They were amazed to see the defense forestall them with this telegram, which proved very innocent when explained. It was dated from Spokane and read:

"Cannot get a lawyer to defend Hogan."

The correspondence between Haywood and the Silver City union, relative to employing Mr. Nugent to defend the interests of the Federation, as it looked as though there were another conspiracy to connect the organization with grave crimes, was also offered in evidence. The testimony then moved into the extradition of the accused Federation officials. Borah fought hard to rule this testimony out. A stiff argument ensued.

Mr. Darrow said that a part of the conspiracy of the mine owners against the Federation was to get rid of the officials. Mr. Borah said the men were brought here through a perfectly legal process.

The cross-examination was very severe, and very close regarding Simpkins. Mr. Moyer said that legal support was given to the members of the Federation when they were accused because of their connection with the W. F. M. He was asked if the W. F. M. was defying Adams in the charge against him for killing Tyler, and replied that it was, as it was believed that Adams' arrest grew out of circumstances connected with the Steunenberg matter.

Borah questioned closely as to why the Federation undertook to defend Orchard at first. Mr. Moyer said the

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It is expected that the prosecution will do its heaviest work on rebuttal. The crowd of defense witnesses has departed, with a separate celebration as each contingent left the scene. Many of the witnesses were not used, among them some of the best men on the spot, as Carey of Burke, and A. H. Foaten of Denver. The attorneys considered that they had fully established the points intended, and that more testimony along those lines was not necessary to strengthen the case. The Pinkerton thugs are sullen and growling. If there ever was a walking illustration of Shakespeare's characterization as "flat, stale and unprofitable" every Pinkie loafing around Boise is that unlucky individual at present.

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## Moyer on Witness Stand

### Explains Workings of the Western Federation and How They Protect Their Members

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Thursday morning the defense attempted to prove by Mr. Tierney, correspondent for the Rocky Mountain News and Denver Times at Boise, the dreadful and disturbed political condition that existed in Colorado during, and as a result of, the labor troubles there. The prosecution made strenuous objections to this testimony, where upon Darrow plead that the state had charged that Orchard, in the blowing up of the Independence depot, was acting for the defense because of the resentment of the unions at the supreme court decision on the eight-hour law. Mr. Darrow said they wanted to show by this witness the public mind and that other interests were as much inflamed as were the labor interests at that time, and he asked to have the jury sent out while he argued the admissibility of the evidence.

Mr. Tierney was one of the men elected as a democrat to the legislature, who was unseated in the election disturbances. Intense excitement prevailed in Denver, nooses for the judges were displayed in the windows of the stores, flags were hung at half mast. The night before the close of Peabody's term he appointed Goddard, who had been a democrat, to the supreme bench. Adams was ousted by the supreme court. Peabody served a day and resigned, the lieutenant-governor taking his place. Threats were rife against Peabody and the supreme court.

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Tuesday afternoon Mr. Moyer came to the stand. His testimony and cross examination lasted two days, and has proved the crucial part of the fight between the two contending forces.

Mr. Moyer's very presence commands respect and attention. Every word uttered by him was carefully weighed and spoken with deliberation, judgment and forethought. When Borah was trying to break him down on the cross-examination it was evident that the representative elements on each side of this labor fight were facing each other. Moyer's replies were cool, quiet, courteous, even respectful. He easily had the upper hand in the given and take. It was plainly to be seen that Borah was making superlative efforts to fasten the responsibility of Steunenberg's murder upon the Western Federation through the admission of its president.

But President Moyer was ready at every trap. His answers were convincing, solid and dignified. He is far the heaviest witness the defense has put up. The Western Federation of Miners has made no mistake during these years in its choice of a head. It took a cool, logical brain and great strength of mind to meet the trying ordeal that the senator attorney presented to the man he would so gladly annihilate. Senator Borah used all the wiles of his naturally active and powerful brain. A tense atmosphere pervaded the court room. If Borah is ever to make good in this case, it must be with the two witnesses who are on trial.

Mr. Moyer said he was 41 years of age, had been a miner and laborer all his life. He was born in Mangoon, Iowa, and joined the W. F. of L. in 1897. He told of his union activities, the methods employed in the Western Federation of Miners and the constitution of the organization was placed on exhibition. When he first became president, 22,000 miners were in the Federation. At this last convention 40,000 were represented. He told of the strike conditions in the Coeur d'Alenes and Colorado, and of the protests against calling out the militia.

The prosecution has numerous witnesses that have gathered in here to show the necessity there was for calling out the militia in Colorado.

Considerable time was spent on the eight-hour law and its fate, and how the strike at Telluride grew out of the demand for it.

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While he was giving this testimony, Riddell, the exposed Telluride Pinkerton, came in and Mr. Moyer identified as the man who was in the bullpen with him.

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## Haywood's Testimony

### Tells of His Connection With Union in Straight Forward Way—Makes a Good Impression

Boise, July 13. Thursday afternoon the man who is being tried for his life was put on the stand. Haywood's manner was quiet and self-sustained. He gave his answers in a cool matter-of-fact way that gave little opportunity for Borah's bulldozing. The local papers fairly bristle with accounts of Haywood's nervousness, his blundering and incriminating answers, and how he has sustained Orchard's allegations in every particular except the admission of the crimes.

Such tales are absolutely fantastical. Haywood has acquitted himself with the greatest credit, and his plain straightforward story has had a visible effect on all that were privileged to hear him.

In this drama of greed versus human life Haywood seems somehow to represent superlatively the typical proletarian element.

Marxian students may remember a passage in the "Eighteenth Brumaire" where Marx decides the difference between bourgeois revolutions and proletarian revolutions. He speaks of the brilliancy, confidence and rapid consummation of bourgeois revolutions, and of how slow and halting are proletarian movements. The later lack of confidence, move forward with a rush, are thrown back, but keep gathering again.

The typical proletarian lacks confidence when brought into direct contact with bourgeois conventionalities. He does not fit in to the artificial conditions with which capitalism has hedged itself around for its own protection and perpetuation. The working man may be courageous, aggressive, even brilliant in dealing with the affairs of his own class, but when he touches capitalism he touches a different civilization from that which he and his fellows are moving forward to realize in the world's history.

Haywood is the socialist of the three accused men. From his reading and study he understands something of the historic function of the working class. He has nothing in common whatever with the capitalist class and its ideals. His whole make-up and inclination is to knock the stuffing out of the system that oppresses him. So aggressive is he by nature that when assaulted by the soldiers at the union depot in Denver, when he went to shake hands with Moyer after his imprisonment, he fought the whole company, and only ceased his own self-protection when overwhelmed by numbers, and brutal beating.

As he gave his testimony every socialist felt that there was the man who was speaking the instinctive aspiration and determination of the working class. Even though bound, beaten, imprisoned and hanged, even though he had committed every crime that the mine owners have brought to his door—still he is ours, fighting the fight of his class against the shameful and unrighteous slavery of all who do the work.

Haywood is 38 years old. He related the circumstances of his early life, his marriage, how his wife's invalid condition began after the birth of the youngest child. As these sad memories were brought up one after the other, the patient wife begins sobbing, but is soothed by the mother and quiets herself.

Haywood joined the Western Federation with the union in Silver City, Idaho, where he was a charter member. He was appointed to write the resolution of his union on the Coeur d'Alenes trouble, and wrote it in the mine on the bottom of a candle box. Borah showed much curiosity in regard to this resolution, and asked for a copy of it, and if it could be found in the files of the Miners' Magazine.

It will be remembered that a man by the name of Stewart from Silver City testified that during the reign of terror in the Coeur d'Alenes Haywood had said that Steunenberg ought to be exterminated. Haywood said that this fellow was the only scab in the camp, and that his own language had been that Steunenberg ought to be re-

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When asked as to his personal feeling towards Steunenberg, he said he regarded him the same as every other politician—swayed by capitalist interests.

He told at some length of the purposes for which the union was formed, of meeting Orchard first at the Denver convention of 1904, called for the unions of the state to consider the political situation. He denied that he or the Federation had ever had any dealings with Orchard except in a general way as any other member.

In giving the history of the Cripple Creek strike he said the unions had established the stores in self-defense after the merchants had refused credit to the miners and raised the price of their goods.

As in the case of Moyer's testimony Borah laid particular stress upon how the Federation came to take up Orchard's case after he was arrested for the murder of Steunenberg. The papers had stated that a postal card addressed to Moyer was found in Orchard's suit case. Within two or three days after the crime the papers announced that the W. F. M. was responsible because of Steunenberg's connection with the Coeur d'Alenes troubles.

It had been the custom of the Federation from the beginning to find lawyers and money at once when information was received that the Federation was being attacked, as was being done all the time and in every conceivable way by the wolfish mine owners. They are always waiting, ready to spring at the throat of the unions on the slightest pretext. It is only through the strength of the mutual protection and watchfulness that the organizations of the working class can live at all.

On the cross-examination Borah dwelt particularly on the feeling in the Federation against Steunenberg. Haywood said they looked upon him as one hostile to labor, and untrue to his oath of office.

Haywood was questioned in regard to all the methods of the unions for their protection as though they were crimes against society. And it was more and more evident to the careful observer that the arch crime that the unions commit is lessening the profits of the men that hire labor.

IDA CROUCH-HAZLETT.

Boise, July 14. Saturday morning the defense astonished the court by announcing that it rested.

Immediately the prosecution began to call its witnesses on rebuttal. This whole proceeding on the part of the state was particularly stupid. One point especially was so far-fetched as to be positively ridiculous. And that was the attempt made through R. E. Grimshaw, tax collector of Lawrence county, South Dakota, to introduce evidence of John M. O'Neill, editor of the "Miners Magazine," having been convicted of manslaughter years ago when but a youth of 23. As the record showed that the killing was accidental when both men were under the influence of liquor, and as O'Neill served his time, and had been back to the country since as a public speaker, it was indeed a mystery to ascertain how this circumstance could possibly affect Haywood's trial for the murder of Steunenberg.

A strenuous effort was made to dispute Elliott's testimony. This is the old soldier who swore to meeting Orchard on the train, and having a conversation with him relative to the mine owners' breaking up the unions. Employees of both railroads were brought to exhibit train times on certain days. But the showing was simply a huge bluff.

There were numerous efforts at rebuttal on unimportant points, but they were well riddled by the defense attorneys. The evidence was valuable chiefly as showing the fine Italian hand of the Pinkertons behind it. The testimony is so evidently made to order.

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## Statement by Mrs. Moyer

### Denies That She Ever Tried to Have Her Husband Turn Traitor—Remains True as Steel

Mrs. Moyer has issued the following letter which is self-explanatory: Editor Denver News—

Will you kindly print a statement from me in regard to an article in the issue of your paper of July 6th, containing a rumor to the effect that I was trying to influence my husband to desert, at this late day, the cause for which he has spent seventeen months in an Idaho jail.

My husband has nothing to "confess," if he had he well might merit my contempt and that of all right thinking people should he turn "state's evidence" or become a traitor to the organization whose welfare he has always had so much at heart, and for which he has suffered so greatly.

I wish to state emphatically that I positively have no speaking acquaintance and do not even know by sight the so-called leader of Boise society, that her husband is owner of the Statesman, a paper that tried these cases and convicted the men long before the jury was even selected.

Scarcely probable is it that I would be so weak-minded as to permit myself to be influenced by people whose methods are so completely antagonistic to my husband's interests, especially when I have never thought for one moment that I ever was in danger of being "made a widow through the verdict of the jury," as your paper so delicately (?) puts it, simply because I have always been firm in my conviction that no jury could ever find my husband guilty of anything except it might be loyalty to the working class, and this loyalty I can assure you is fully endorsed and commended by myself, and always has been notwithstanding all reports to the contrary.

I must say that I am surprised that a paper as fair as the "Times" has been, would give enough credence to such a rumor as to print it. I can well understand the anxiety of such correspondents as the "New York World" and some others to find sensational features in this case, and if the case does not furnish them, they must manufacture a story to suit themselves or what they may think the occasion warrants. In my opinion these reporters had better confine themselves to correctly reporting the evidence as brought out by the defense, as well as the prosecution.

I trust you will give this a prominent place in your paper, as I feel that I have been maligned and wish to assert my loyalty to the working people as well as sympathizers who have come forward so nobly to our aid in this the hour of our greatest need.

Mrs. Chas. H. Moyer.

Boise, July 9.

The trial is lagging unacceptably on account of the tiresome reading of the depositions taken in the Bradley case in San Francisco. There are 386 pages of tiresome stuff, and the reading of the mass of material by the attorneys is so insufferable stupid that, as Ras Biemur, the chief bailiff, said "even socialists could not stand it." The court room is always deserted, even the most of the reporters being conspicuous by their absence. Seven spectators were in the court room when court opened this morning.

Lawyer Van Duyn for the prosecution and Fred Miller for the defense have been in California taking these depositions, and the whole evidence is being presented to this court. Mr. Darrow reads the testimony presented in the California court by the defense, and Mr. Borah or Mr. Hawley for the prosecution. All the direct and redirect examinations have to be read. Yesterday three depositions were handled regarding the explosion that Orchard says he set off to kill Bradley, once superintendent of the Bunker Hill and Sullivan mine at Wardner, Idaho.

The principal ones of these are the testimonies of Mr. Linforth, owner of the flats in which Bradley lived, and of Mr. Bradley himself. The witnesses testified positively to all the circumstances showing that the explosion was caused by gas and not by powder. Mr. Bradley said he was perfectly familiar with the smell and the action of powder, and the accident was not

caused by powder. He said leaking gas had been smelled in the building for several weeks. The first intimation he had of the disaster was seeing a flash at the end of his cigar. His first thought was that some one had fixed a loaded cigar for him.

The San Francisco evidence is one of the most valuable features of the trial so far as the defense is concerned. It absolutely places the lie upon Orchard's bogie stories, from unimpeachable legal evidence, a matter of record, and outside of the testimony of the Western Federation of Miners themselves. Now if Orchard has undeniably lied about so serious an accusation as the San Francisco affair, it shows that his touching conversion was not so deep, so thorough, or so true but what he would manufacture an absolutely false tale in order to lend himself to the machinations of the Pinkertons in throwing odium upon the Federation and hanging its officials in order to get the union out of the way of the rapacity and greed of the mine owners.

If Orchard lied in this one instance, the whole structure of his confession is falls to the ground even though he may have woven much truth into the fantastic yarn. His purpose is plain in attempting the destruction of the Federation consequently no part of his statement is trustworthy.

The unqualified dictum of the Idaho law that the evidence of an accomplice must be supported by sufficient corroborative evidence outside the confession is a protection to the accused that is amply illustrated in this case.

One would hardly learn that Haywood was on trial from sitting in the court room. He is never made a subject of the discussions. The sole topic of the prosecution has been Orchard, and of the defense the Colorado troubles.

The prosecution launched the conspiracy charge first with Orchard as the mainstay to its ship of death. The defense hurled back with a counter-conspiracy against the working class whose revelations of villany, cruelty and conscienceless brutality have astonished the world with preconceived ideas as to the justice and decorum of the established ways of the leaders in social activities.

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In giving the history of the Cripple Creek strike he said the unions had established the stores in self-defense after the merchants had refused credit to the miners and raised the price of their goods.

As in the case of Moyer's testimony Borah laid particular stress upon how the Federation came to take up Orchard's case after he was arrested for the murder of Steunenberg. The papers had stated that a postal card addressed to Moyer was found in Orchard's suit case. Within two or three days after the crime the papers announced that the W. F. M. was responsible because of Steunenberg's connection with the Coeur d'Alenes troubles.

It had been the custom of the Federation from the beginning to find lawyers and money at once when information was received that the Federation was being attacked, as was being done all the time and in every conceivable way by the wolfish mine owners. They are always waiting, ready to spring at the throat of the unions on the slightest pretext. It is only through the strength of the mutual protection and watchfulness that the organizations of the working class can live at all.

On the cross-examination Borah dwelt particularly on the feeling in the Federation against Steunenberg. Haywood said they looked upon him as one hostile to labor, and untrue to his oath of office.

Haywood was questioned in regard to all the methods of the unions for their protection as though they were crimes against society. And it was more and more evident to the careful observer that the arch crime that the unions commit is lessening the profits of the men that hire labor.

IDA CROUCH-HAZLETT.

Boise, July 14. Saturday morning the defense astonished the court by announcing that it rested.

Immediately the prosecution began to call its witnesses on rebuttal. This whole proceeding on the part of the state was particularly stupid. One point especially was so far-fetched as to be positively ridiculous. And that was the attempt made through R. E. Grimshaw, tax collector of Lawrence county, South Dakota, to introduce evidence of John M. O'Neill, editor of the "Miners Magazine," having been convicted of manslaughter years ago when but a youth of 23. As the record showed that the killing was accidental when both men were under the influence of liquor, and as O'Neill served his time, and had been back to the country since as a public speaker, it was indeed a mystery to ascertain how this circumstance could possibly affect Haywood's trial for the murder of Steunenberg.

A strenuous effort was made to dispute Elliott's testimony. This is the old soldier who swore to meeting Orchard on the train, and having a conversation with him relative to the mine owners' breaking up the unions. Employees of both railroads were brought to exhibit train times on certain days. But the showing was simply a huge bluff.

There were numerous efforts at rebuttal on unimportant points, but they were well ridiculed by the defense attorneys. The evidence was valuable chiefly as showing the fine Italian hand of the Pinkertons behind it. The testimony is so evidently made to order.

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## Statement by Mrs. Moyer

### Denies That She Ever Tried to Have Her Husband Turn Traitor—Remains True as Steel

Mrs. Moyer has issued the following letter which is self-explanatory: Editor Denver News—

Will you kindly print a statement from me in regard to an article in the issue of your paper of July 6th, containing a rumor to the effect that I was trying to influence my husband to desert, at this late day, the cause for which he has spent seventeen months in an Idaho jail.

My husband has nothing to "confess," if he had he well might merit my contempt and that of all right thinking people should he turn "state's evidence" or become a traitor to the organization whose welfare he has always had so much at heart, and for which he has suffered so greatly.

I wish to state emphatically that I positively have no speaking acquaintance and do not even know by sight the so-called leader of Boise society, that her husband is owner of the Statesman, a paper that tried these cases and convicted the men long before the jury was even selected.

Scarcely probable is it that I would be so weak-minded as to permit myself to be influenced by people whose methods are so completely antagonistic to my husband's interests, especially when I have never thought for one moment that I ever was in danger of being "made a widow through the verdict of the jury," as your paper so delicately (?) puts it, simply because I have always been firm in my conviction that no jury could ever find my husband guilty of anything except it might be loyalty to the working class, and this loyalty I can assure you is fully endorsed and commended by myself, and always has been notwithstanding all reports to the contrary.

I must say that I am surprised that a paper as fair as the "Times" has been, would give enough credence to such a rumor as to print it. I can well understand the anxiety of such correspondents as the "New York World" and some others to find sensational features in this case, and if the case does not furnish them, they must manufacture a story to suit themselves or what they may think the occasion warrants. In my opinion these reporters had better confine themselves to correctly reporting the evidence as brought out by the defense, as well as the prosecution.

I trust you will give this a prominent place in your paper, as I feel that I have been maligned and wish to assert my loyalty to the working people as well as sympathizers who have come forward so nobly to our aid in this the hour of our greatest need.

Mrs. Chas. H. Moyer.

Boise, July 9. The trial is lagging unacceptably on account of the tiresome reading of the depositions taken in the Bradley case in San Francisco. There are 386 pages of tiresome stuff, and the reading of the mass of material by the attorneys is so insufferably stupid that, as Ras Biemur, the chief bailiff, said "even socialists could not stand it." The court room is always deserted, even the most of the reporters being conspicuous by their absence. Seven spectators were in the court room when court opened this morning.

Lawyer Van Duyn for the prosecution and Fred Miller for the defense have been in California taking these depositions, and the whole evidence is being presented to this court. Mr. Darrow reads the testimony presented in the California court by the defense, and Mr. Borah or Mr. Hawley for the prosecution. All the direct and redirect examinations have to be read. Yesterday three depositions were handled regarding the explosion that Orchard says he set off to kill Bradley, once superintendent of the Bunker Hill and Sullivan mine at Wardner, Idaho.

The principal ones of these are the testimonies of Mr. Linforth, owner of the flats in which Bradley lived, and of Mr. Bradley himself. The witnesses testified positively to all the circumstances showing that the explosion was caused by gas and not by powder. Mr. Bradley said he was perfectly familiar with the smell and the action of powder, and the accident was not

caused by powder. He said leaking gas had been smelled in the building for several weeks. The first intimation he had of the disaster was seeing a flash at the end of his cigar. His first thought was that some one had fixed a loaded cigar for him.

The San Francisco evidence is one of the most valuable features of the trial so far as the defense is concerned. It absolutely places the lie upon Orchard's bogie stories, from unimpeachable legal evidence, a matter of record, and outside of the testimony of the Western Federation of Miners themselves. Now if Orchard has undeniably lied about so serious an accusation as the San Francisco affair, it shows that his touching conversion was not so deep, so thorough, or so true but what he would manufacture an absolutely false tale in order to lend himself to the machinations of the Pinkertons in throwing odium upon the Federation and hanging its officials in order to get the union out of the way of the rapacity and greed of the mine owners.

If Orchard lied in this one instance, the whole structure of his confession is falls to the ground even though he may have woven much truth into the fantastic yarn. His purpose is plain in attempting the destruction of the Federation consequently no part of his statement is trustworthy.

The unqualified dictum of the Idaho law that the evidence of an accomplice must be supported by sufficient corroborative evidence outside the confession is a protection to the accused that is amply illustrated in this case.

One would hardly learn that Haywood was on trial from sitting in the court room. He is never made a subject of the discussions. The sole topic of the prosecution has been Orchard, and of the defense the Colorado troubles.

The prosecution launched the conspiracy charge first with Orchard as the mainstay to its ship of death. The defense hurled back with a counter-conspiracy against the working class whose revelations of villany, cruelty and conscienceless brutality have astonished the world with preconceived ideas as to the justice and decorum of the established ways of the leaders in social activities.

In the meantime the necessity of proving Haywood specifically guilty, has been almost lost sight of, and the whole country is laughing at the collapse of the latest wild and woolly western fake boom. This huge inflation has been Pinkertonism, and it is now time for the working class to get in their innings on this miserable scam that is harassing and sapping the vitality of any intelligent activity to better their condition. There could be no worthier field for the determined activity of the workers from now on than a merciless campaign of extermination against the filthy disease of capitalism. These traitors, informers and rascals should be ruthlessly hunted out of the labor ranks, and made an example. Their presence is an imposition and insult to the rights and dignity of labor, and the working class should free itself from this system of class espionage at any cost.

There is little probability of the trial closing before August.

It is expected that the prosecution will do its heaviest work on rebuttal. The crowd of defense witnesses has departed, with a separate celebration as each contingent left the scene. Many of the witnesses were not used, among them some of the best men on the spot, as Carey of Burke, and A. H. Foaten of Denver. The attorneys considered that they had fully established the points intended, and that more testimony along those lines was not necessary to strengthen the case. The Pinkerton thugs are sullen and growling. If there ever was a walking illustration of Shakespeare's characterization as "flat, stale and unprofitable" every Pinkie loafing around Boise is that unlucky individual at present.

These despicable varlets can only

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## Moyer on Witness Stand

### Explains Workings of the Western Federation and How They Protect Their Members

Boise, July 11.

Thursday morning the defense attempted to prove by Mr. Tierney, correspondent for the Rocky Mountain News and Denver Times at Boise, the dreadful and disturbed political condition that existed in Colorado during, and as a result of, the labor troubles there. The prosecution made strenuous objections to this testimony, where upon Darrow plead that the state had charged that Orchard, in the blowing up of the Independence depot, was acting for the defense because of the resentment of the unions at the supreme court decision on the eight-hour law. Mr. Darrow said they wanted to show by this witness the public mind and that other interests were as much inflamed as were the labor interests at that time, and he asked to have the jury sent out while he argued the admissibility of the evidence.

Mr. Tierney was one of the men elected as a democrat to the legislature, who was unseated in the election disturbances. Intense excitement prevailed in Denver, nooses for the judges were displayed in the windows of the stores, flags were hung at half mast. The night before the close of Peabody's term he appointed Goddard, who had been a democrat, to the supreme bench. Adams was ousted by the supreme court. Peabody served a day and resigned, the lieutenant-governor taking his place. Threats were rife against Peabody and the supreme court.

After Darrow's argument the judge sustained the objection of the prosecution.

Tuesday afternoon Mr. Moyer came to the stand. His testimony and cross examination lasted two days, and has proved the crucial part of the fight between the two contending forces.

Mr. Moyer's very presence commands respect and attention. Every word uttered by him was carefully weighed and spoken with deliberation, judgment and forethought. When Borah was trying to break him down on the cross-examination it was evident that the representative elements on each side of this labor fight were facing each other. Moyer's replies were cool, quiet, courteous, even respectful. He easily had the upper hand in the given and take. It was plainly to be seen that Borah was making superlative efforts to fasten the responsibility of Steunenberg's murder upon the Western Federation through the admission of its president.

But President Moyer was ready at every trap. His answers were convincing, solid and dignified. He is far the heaviest witness the defense has put up. The Western Federation of Miners has made no mistake during these years in its choice of a head. It took a cool, logical brain and great strength of mind to meet the trying ordeal that the senator attorney presented to the man he would so gladly annihilate. Senator Borah used all the wiles of his naturally active and powerful brain. A tense atmosphere pervaded the court room. If Borah is ever to make good in this case, it must be with the two witnesses who are on trial.

Mr. Moyer said he was 41 years of age, had been a miner and laborer all his life. He was born in Mangoon, Iowa, and joined the W. F. of L. in 1897. He told of his union activities, the methods employed in the Western Federation of Miners and the constitution of the organization was placed on exhibition. When he first became president, 22,000 miners were in the Federation. At this last convention 40,000 were represented. He told of the strike conditions in the Coeur d'Alenes and Colorado, and of the protests against calling out the militia.

The prosecution has numerous witnesses that have gathered in here to show the necessity there was for calling out the militia in Colorado.

Considerable time was spent on the eight-hour law and its fate, and how the strike at Telluride grew out of the demand for it.

Impeachment questions were asked regarding Orchard's testimony, and he said that he never met Orchard till

March 1904, in his offices therefore he could have had no conversation with him in regard to the blowing up of the Vindicator mine. Asked if he gave Orchard money during the Cripple Creek trial for his good offices in connection with the Federation, he flatly denied it. He told of how Orchard came to go as a body guard with him to Auray. Orchard had asked about the advisability of going down into the San Juan camps for work. Such violence had been shown to the union men in that part of the country that he had intended employing some one to accompany him when he went over there. A number of the Federation members were talking of going over there about that time, but when he got ready Orchard was going away in a few days, and said he would just as soon wait and go with Mr. Moyer as a matter of precaution. The recent beating up of the coal miners' organizers had made prudent considerations necessary.

They asked Mr. Pettibone to procure the guns for them. Mr. Moyer let Orchard keep the one he carried. His own had never been fired and therefore could not have killed Lyte Gregory.

At Auray Mr. Moyer was arrested at the request of the sheriff of San Miguel county, where the strike was on without any charge. He told of his arrest for desecrating the flag because of a poster issued from Federation headquarters, of his arrest at Telluride and incarceration in the bullpen, and the indignities heaped upon him, and how he refused to clean the streets.

While he was giving this testimony, Riddell, the exposed Telluride Pinkerton, came in and Mr. Moyer identified as the man who was in the bullpen with him.

The W. F. M. was the only organization that has offered any reward for the apprehension of the perpetrators of the Independence depot crime. Five thousand dollars being the amount offered.

No money was given to Orchard for crimes or any other purpose by the W. F. M. except for strike benefits.

Mr. Moyer testified that it was common for blacklisted men to change their names at different points in order to get work.

The W. F. M. ritual with its cipher and pass word code was put on exhibition. After the Steunenberg murder a cipher telegram was received from Simpkins at the Federation headquarters, looking towards counsel for Orchard, or Hogan as he called himself, which was in the possession of the attorneys for the state. They were amazed to see the defense forestall them with this telegram, which proved very innocent when explained. It was dated from Spokane and read:

"Cannot get a lawyer to defend Hogan."

The correspondence between Haywood and the Silver City union, relative to employing Mr. Nugent to defend the interests of the Federation, as it looked as though there were another conspiracy to connect the organization with grave crimes, was also offered in evidence. The testimony then moved into the extradition of the accused Federation officials. Borah fought hard to rule this testimony out. A stiff argument ensued.

Mr. Darrow said that a part of the conspiracy of the mine owners against the Federation was to get rid of the officials. Mr. Borah said the men were brought here through a perfectly legal process.

The cross-examination was very severe, and very close regarding Simpkins. Mr. Moyer said that legal support was given to the members of the Federation when they were accused because of their connection with the W. F. M. He was asked if the W. F. M. was defying Adams in the charge against him for killing Tyler, and replied that it was, as it was believed that Adams' arrest grew out of circumstances connected with the Steunenberg matter.

Borah questioned closely as to why the Federation undertook to defend Orchard at first. Mr. Moyer said the

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