SEVENTH YEAR - No. 332

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PRICE FIVE CENTS

THE DEFENSE GAINS IMPORTANT POINTS

Things Look Better for Haywood All Along the Line-Prosecution's Friends Deserting Them-One of Their Lawyers Gives Up In Disgust

BOISE, Idaho, June 26, 1907.—In two days the defense has accomplished four

First-They have established Orchard's connection with the Mine Owners' detectives.

Second-They have established Orchard's personal hatred of Steunenberg.

Third—Orchard has been contradicted by nearly every witness.

Fourth—Testimony of the Mine Owners' treatment of the unions has been ad-

Darrow made an eloquent argument to prevent the shutting out of evidence of the Colorado deportations. Hawley and Borah both argued for shutting out such evidence. Judge Wood ruled favorably to defense, but hinted he might change later.

Darrow's speech will apear in full in "The Socialist" next week. Judge

Wood plainly wanted to exclude our evidence of a counter-conspiracy on the part of the Mine Owners, but it would have been too raw. He feels the world's eyes are on him. Even here in Boise public opinion is divided. The Denver "Republican," owned by the Mine Owners' Association, howls about the First Methodist Church of Boise welcoming Haywood's family and friends at Sunday services.

The prosecution's case was so weak many papers all over the country are denouncing them. The Pueblo "Chieftan," a Republican organ of Southern Colorado, says editorially:

"So far as Haywood is concerned, the State has utterly failed to establish its

case. A legal and warranted conviction of Haywood is now impossible.

"In the face of such a demonstration of weakness as has been afforded by the prosecution, there is abundnt reason to question the wisdom and discretion of the persons that have been responsible for the arrest and imprisonment of Haywood and his fellows."

"They have," says the "Chieftan," "rendered themselves gravely responsible for serious and extensive injury to the cause of law and order in the United States" -which means Gooding and Borah and the Mine Owners have proved themselves Anarchists and helped Socialism. The prosecution has lost one of its attorneys. Stone, of Caldwell, is so disgusted that he went home a week ago. He said some things about McParland and Gooding which would not look well in print. HERMON F. TITUS.

SUM TOTAL of STATE'S CASE

Impartial Review of What Prosecution Has Proved Against Haywood-By Idaho Statute, Orchard's Testimony, as an Accomplice, Cannot Be Used In This Review - Outside of Orchard, Exactly How Much Has Been Established to Fix the Murder of Steunenberg Upon Haywood?—That Is the Question

(Editorial Correspondence From

How the State's friends themselves best be learned from "The Statesman," morning dally at Boise, which is the special mouthpiece and champion of the Prosecution. This paper for the purposes of this case, has always contended that Socialism and Anarchism were the same thing. Only one short month ago, it was reasserting this old lie in the editorial columns. Its reporters know better.

"The Statesman," organ of the Republican party, spokesman for Gooding and Borah, has done more to prejudice public opinion against the Western Federation of Miners and to ranke a fair jury impossible in this community where they read nothing aut local papers, than all other agen-

So it is certain "The Statesman" will give the best possible construction to the case of the State against Haywood. If a strong, clear case had been made out. "The Statesman' would have declared, like the Denver "Republican," rabid organ of Colorado's Mine Owners, "It's all over except the hanging."

But they don't say that. Sunday morning's "Statesman" contains a four-column article entitled, "Short Review of the Haywood Trial." This is the official conclusion of the Prose cution Itself, undoubtedly inspired by Senator Borah. It is clearly on the

The strongest statement in it is in the subhead, which runs, "Attorneys for State declare they have succeeded in showing the existence of con spiracy-and are connecting Haywood with that conspiracy." That does not sound very happy.

But worse yet. They continue thus: "MANY WHO HAVE BEEN AN OPINION THAT THE STATE | name HAS FAILED TO CONNECT DE

THEREFORE, THE STATE HAS NOT SUCCEEDED IN MAKING A STRONG CASE."

.To say "MANY is putting it very night a Methodist preacher invited the witnesses for the Defense, some 200 or so, to occupy reserved seats in his church. This means many more than "MANY" have expressed the opinion he is said to have expressed, namely, that no jury could convict Haywood on any evidence thus far presented. Banker Eoff, who was challenged as juror by Defence, whose examination was given in full by "The Socialist," is reported to be of the "Many" who have said the same.

When a pastor of a popular church, in this religious community, where the bitterest prejudice has existed against Socialism and these prisoners, at the close of the State's case, and before a scrap of evidence has been pre-sented for the Defence, openly invites the Defence's witnesses and friends to attend his church and reserves seats for them, you can "bet your life" that a very great "MANY are "expressing an opinion that the State has failed to connect."

But let us be perfectly candid and sum up exactly what the State has proved.

1. It proved that Steunenberg was killed December 30, 1905.

2. It proved that Thos. Hogan, alias Harry Orchard, etc., etc., really Albert E. Horsley, was the man who killed Steunenberg.

3. It proved that Jack Simpkins, member of the Executive Committee of the Western Federation of Miners for Idaho, visited Orchard twice, once for several days, while Orchard was at Caldwell planning to murder Steunenberg, and that he registered at Caldwe" under the name, "J. Simmons," or rather that he allowed Or-FOLLOWING THE CASE EXPRESS | chard to register him under that

4. It proved that Orchard received FENDANT HAYWOOD DIRECTLY an unsigned letter from Denver, WITH THE CRIME, AND THAT, dated December 30, 1905, after his ar-

That was sent to Jack, December 21, for you. He should send it so that you ought to have it by this time Write me as soon as you get to your new field."

In conection with this, it has been shown that Haywood had \$100 draft sent to Jack Simpkins at Spokane on

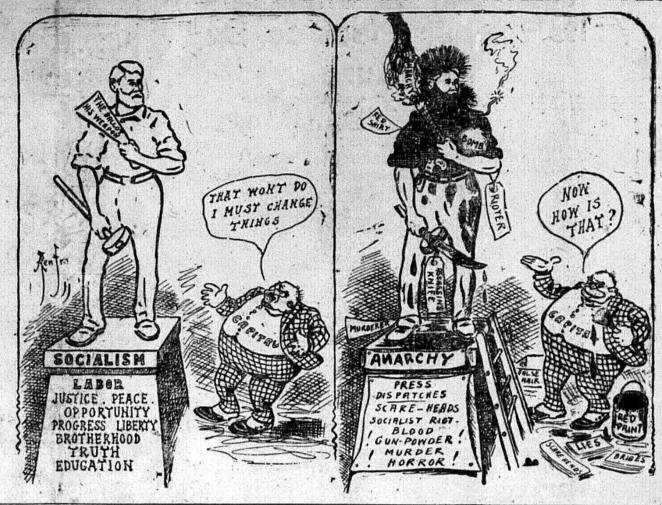
This is the closest connection made etween Orchard and Haywood. It is assumed the letter was written by Pettibone and unsigned. The letter itself was destroyed by Orchard, but Sheriff Nichols kept a copy of it, and also kept the Denver postmark. To prove it came from Pettibone, Orchard's testimony must be taken. Even then, Haywood's connection sent \$100 to Simpkins, presumably in the regular course of business, as Simpkins was on salary. Pettibone could easily find that out and let Or chard know. It does not follow that Pettibone even, much less Haywood, knew what Orchard was about. 'If Orchard, as I believe, was doing his bloody work by himself as a Murder Fiend, like another Jack the Ripper, nobody, not even Simpkins knew his intentions. Certainly, it is quite impossible to connect Haywood on such slight and remote circumstantial evi-

It must not be forgotten that Orchard's testimony by itself is value less under the laws of Idaho to convict an alleged accomplice. This is a reasonable law, deduced from Common Law practice, to prevent a criminal from escaping by throwing the blame on innocent men. The law therefore provides that when a criminal alleges an accomplice, the evidence. ENTIRELY INDEPENDENT OF THE CRIMINAL'S TESTIMONY. must prove the connection with the crime of the man charged by the Known Criminal.

(Continued on Page 4.) . ARE INVITED

All subscribers who can attend are invited to have a good time with the rest of us at the lawn party, Tuesday evening, July 2, 1907, Hortense Wagenknecht's residence, 5502 Woodlawn avenue. Take a Green Lake car and get o at Woodlawn Park wation and walk two blocks east, away from the lake. Games, refreshments and jolly company. Come! We want to have one of the good times we used to have.

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THE CASE AGAINST HAYWOO

Sudden Close of the State's Case-Pinkertons Fall Down-Gooding Said to Have Quarreled with McParland-Greatest Bluff of the Century Motion to Acquit Haywood Without Hearing the Defense-Full Text of Darrow's Speech-Not Given by Any Other Correspondent

(Special Editorial Correspondence.)

The case of the State of Idaho alias the Pinkerton Detective Agency, alias the Mine Owners' Association, alias "Standard Oil," alias Capital, against William D. Haywood, representative of Labor, for the alleged murder of ex-Gov. Steunenberg, was closed today in Judge Wood's court at

We can hardly realize the fact. Just as we were preparing to fortify our minds against a tremendous array of evidence showing "the bloody trail" promised by Hawley's opening address for the prosecution, when we were holding our breath in apprehension of the awful revelations held in reserve for 17 months and now at last to be precipitated on us by 150 witnesses, swiftly the Fear disappears and we are left gasping with relief THE PROSECUTION HAS NO CASE. THE STATE HAS FAILED! ORCHARD IS THEIR WHOLE HOPE! They have closed their testimony. They have sent home half their witnesses, after paying enormous sums to get them here. They have not connected Haywood with Orchard's deeds—except through Orchard's own testimony. We cannot credit the evidence of our own eyes and ears. Yet it is a fact. THE STATE RESTS!

For once, the motion, the stock motion, to dismiss the case without hearing the defense, is no form. Even friends of the State, the deluded citizens of Bolse and of Idaho, are waking up and asking: "Is this all?"

Judge Wood declined to give his reasons for denving defendant's motion to acquit. With good reason, for there were no reasons to give. If he had reviewed the evidence in order to give reasons for not stopping the case here and now, he would have been stumped. Wisely he re-

Now the prosecution's defenders resort to the lame assertion: "The State will have a better case when the defense has made out its case" Well! Do they fancy the defense will furnish testimony for the prosecution? They must be hard put to it indeed!

Then they say: "Wait for our rebuttal!" That means they do not yet dare to show their trump cards? No, it means they have no trumps.

Some of our friends-Haywood's poor mother, for instance-are disappointed tonight because Judge Wood did not discharge the jury and set the prisoner free. But of course that was too much to expect, He will throw that responsibility on the jury.

Yet the statute explicitly makes it the duty of the judge to advise the jury to acquit a prisoner when the evidence is THAT OF AN AC-COMPLICE UNCORROBORATED BY INDEPENDENT TESTIMONY SUFFICIENT OF ITSELF TO CONVICT OR TEND TO CONVICT

Richardson in his opening argument first stated the law and then analyzed the evidence. He quoted the statute and sustained it by interpretations of highest courts in California, Oregon, Montana and Idaho. all states which have similar statutes. These statutes provide that where an accomplice in crime gives evidence against a fellow criminal, that is, in a case of "State's Evidence," the testimony,"INDEPENDENT ALTO-GETHER OF ACCOMPLICE'S EVIDENCE," "without the aid of the testimony of the accomplice," must tend to connect the defendant with the commission of the crime.

That means in this case, it is not enough for the testimony-ALTO-GETHER INDEPENDENT OF ORCHARD'S TESTIMONY—to raise a suspicion of Haywood's guilt. It must actually be inconsistent with any other theory than guilt. The evidence, independent of Orchard's, must be such that you cannot explain it on any supposition of innocence. That is the law in Idaho.

Borah, in his reply to Richardson, admitted the law to be as stated shows. Then he tried to make it appear that the evidence pointed to a "conspiracy" by the Western Federation entered into far back in 1899, to exterminate all opponents. Darrow answered this in a masterly speech,

I give this speech in full below. This is the only report secured by any correspondent of either Richardson's or Darrow's speech. The local

papers give Borah's in full, but the speeches of the defence are only epit omized. If no Socialist reporters were here, the world would hear far less, even in capitalist papers, of the side of the defence than it now does

Absolutely the one definite circumstance in evidence pointing to Hay-

wood's connection with Oorchard-INDEPENDENT OF ORCHARD'S OWN WORD-was Sheriff Nichols' copy of a letter sent from Denver December 20, 1905, but unsigned, alleged to be from Pettibone, and reading as follows: 'Friend Tom: Your letter received. That was sent to Jack December 21 for you. He should have sent it so that you would have it by this time. Will not write any more this time. Write me as soon as you get to your

This letter, to meet this case, must be absolutely inconsistent with the innocence of Haywood. It must be incapable of explanation on any

other theory than Haywood's guilt. AND THIS IS THE STATE'S CASE! Truly, the Mountain labored and brought forth a ridiculous Mouse!

What explanation the defence will make of the above letter, or of the general close relations between Pettibone and Orchard, the argument of counsel for defence before Judge Wood in support of motion to dismiss, did not attempt to say. They are not giving away their case in advance. Next Monday, June 22. Darrow will make the opening statement for de fence and then you will see the fur fly.

I will only say that another letter of Pettibone's, introduced by State, proves that Orchard was one of Pettibone's agents or solicitors to sell 'Household Specialties," like clothes wringers, carpet sweepers, etc.

We shall wait and see what we shall see. HERMON. F. TITUS

In Support of Motion for Court to Acquit the Defendant -Made Afternoon of June 21, 1907, at Close of the Case of the Prosecution, Before Judge Wood

ne to go over this evidence, because I think Mr. Richardson has gone carefully over the evidence of all of the witnesses in this case. I shall only attempt to notice what Mr. Borsh has said in reference to connecting this defendant with this case. I take it that the reading of authorities is of very little use here. The statute is just about as plain, it seems to me, as the remarks of the court upon the statute, possibly plainer. The statute explains itself and when it is enlarged upon it is possibly obscure.

BEFORE ANYBODY CAN BE CON-VICTED WHERE THE EVIDENCE OF AN ACCOMPLICE IS USED, THERE MUST BE OTHER EVI-DENCE WHICH DIRECTLY CON-NECTS THE DEFENDANT WITH THE COMMISSION OF THE CRIME.

I don't know how any language could make it much plainer. Before the defendant in this case can be convicted there must be corroborating evidence which directly connects him with the murder of Ex-Governor

Steunenberg.

Now where is it? We have had a list of one hundred and fifty witness-es presented to us. We have listened to some fifty of all sorts. And in summing this up counsel only draws attention to a letter addressed to Caldwell in connection with a draft which he cannot claim by the wildest flight of imagination tends to connect this defendante directly with the commission of this crime. What is there to show that this defendant, William D. Haywood, had anything to do with D. Haywood, had anything to do with the murder of Ex-Governor Steunen-berg? What is there that will, stand-ing alone in this case, if the evi-dence of Harry Orchard was not ad-

Now, let us see: It takes some-thing besides general statements and

Your Honor, it is not necessary for ne to go over this evidence, because I hink Mr. Richardson has gone care-think Mr. Richardson has gone care-things might go with a jury, but when the evidence of all of the it comes to connecting a man with the crime of murder there must be something specific, something definite to show that the defendant is guilty

of a particular act charged. First we are told there is a conspiracy, and the word "conspiracy" covers a multitude of sins and it always has -especially the sins of the state. As a general rule it has been somewhat discarded in more enlight-ened times. It always was a convenient way to get rid of someone whom the particular people in charge wished to get rid of at the time. They charged him with conspiracy and then the court had to let !t go when that charge was made.

IF THERE IS A CONSPIRACY IN THIS CASE, WHAT IS IT? WHEN WAS IT BORN AND WHO WERE

Is it claimed there was any conspiracy to murder Ex-Governor Steuwas a general conspiracy to murde governors? Who was engaged, and when and where and what? Was there a conspiracy to kill everybody or anybody or any particular class of any particular person? If so, when and where and who, and what is the evidence upon which any such con-spiracy is urged or charged in this

Senator Borah says away back in 1899 the governor of this state got into some difficulty with the organiza-Miners. Assume that is true, and for the purpose of this argument I con-cede, with him, that it is not nec-essary to go into the question of who was right or who was wrong. There was some-difficulty between Ex-Gov.

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THE PROSECUTION PUTS UP MONEY FOR THE DEFENSE FUND

By Hattie W. Titus

in the past three weeks which cause the citizens of Boise to wonder why, but when it comes to turning over the hard-earned dollars of the already over-burdened tax-payers to the Defense Fund the utmost limit of endurance has been reached.

But such are the facts. Either Mc-Parland is a knave or a fool or both (and we have no hesitation in saying he is both), and Hawley and Borah are just finding it out, or Hawley and Borah have been taking the State's money and turning it over to McParland, and no questions asked, in order to escape the hard work of making a case out of nothing.

When I say "nothing" I really mean Harry Orchard, for it appears that he is the case and the whole case. I have said over and over again can it be possible that two intelligent

lawyers like Hawley and Borah would nin their case to the confession of a creature like Harry Orchard without plenty of independent evidence to corroborate it?

But such is the fact. Harry Orchard's confesion and McParland's promises were relied upon with the utmost credulity by two of the most prominent lawyers of this state. I might say it is criminal credulity on the part of these two lawyers for it has proved to be a case of obtaining money from the tax-payers on false pretenses.

It may be claimed that these lawyers are not directly responsible to the tax-payers as the case is supposed to be conducted by the prosecuting attorney of Canyon county where the murder was committed.

But the only part he has in the case is to draw his salary. If you should see him once, you would understand why. The only exhibition of gray matter we have been able to perceive to date was shown when he turned the case over to somebody

McParland has failed to make good. The witnesses who were to "corroborate" did not "corroborate." To be sure some of them went on the stand and did the best they could to earn their money. They were paid from \$150 to \$250 each to come from Colorado and California to turn the laugh on the Prosecution.

This sort of thing got to be a little too much for even Hawley and Borah and hence a conference was called of all the leading lights of the Prosecution except Taft and Roosevelt, who were too far away.

It is said that the atmosphere contained all the colors of the rainbow at different times during this confer-

All we know is that some thirty or forty witnesses were told to get their money and go back where they came from. Hawley and Borah found out after they got here that these witnesses were liable to help the Defense more than the Prosecution. I suppose they also found out what the Defense already knew, that they had used the money of the Prosecution to pay the expenses of bringing some of the witnesses here to testify for the Defense. Mrs. Steve Adams is one of these. She was subpoensed for the Prosecution, was not called, and will now remain to testify for the Defense. This saves the Defense quite a bill. It must be a bitter pill I "Why are you the Bill Davis I used

Prosecution has done many things | indeed for the Prosecution to learn | to know?" and "I'm the feller that that they have paid the railroad and other expenses of witnesses for the Defense. But such are the facts. But this is not all, the Prosecution has actually sent over a hundred dollars in cash to the Defense Fund!

> the Prosecution was James Kirwan, acting secretary of the Federation. He came all the way from Denver to testify that he was the acting secretary of the W. F. of M., and that the duties of a secretary of the W. F. of M. were the usual duties of any secretary of any organization. For this he was paid \$118, which he said he would turn over to the Defense Fund as soon as he got back.

This is one on the Prosecution all

each for coming from Silver City, a distance of some 60 miles. They don't know yet why they were subprenaed for neither of them were placed on the stand. They have a good time around town meeting and talking over old times with old comrades of the Federation, some of whom they hadn't seen for ten or twelve years. And the Prosecution paid the bills!

did the Federation a mighty good turn by refusing to strike back, even in self-defense, two of the Mine Own-They made the assault for the sole purpose of getting some member of the Western Federation in trouble while here in Boise.

Frye is known to be a man who will not hesitate to fight when occasion demands. The gun men, Bartell and Meldrum, are known to be men who fight without occasion. On this occasion the quality of a W. F. of M. man was shown in splendid contrast to the cowardly act of an armed gun man. Frye was the hero of the day and the gun men have been regarded with contempt by everybody ever since. Fining the gun men \$150 and costs was some satisfaction, but it was nothing compared to the satisfaction of showing the people of Boise that the Western Federation men really stand for law and order, and that the gun men really stand for anarchy, lawlessness and disorder, as has been proven over and over again. By the way, Meldrum and Bartell are employed by, and paid by, the Mine Owners' Association direct as special guards for Harry Orchard. We would like to ask why the Mine Owners' Association should furnish guards to protect this star witness upon whom the whole case depends? Isn't this the State's case? Why should the Mine Owners' Association be butting in? Whose witness is this anyhow? Will Hawley and Borah please answer? We have been called down again and again for claiming that the Mine Owners' Association had a rithing to do with this case.

went all the way to Alaska to mail a letter for Harry Orchard," and "I'm the man who asked him to blow up 150 people for \$100," and dozens of others. A common remark at an introduction is, "I've heard about you I've read about you and I'm proud to shake hands with you."

So the clans are gathering. If no member of the jury is fixed, the town of Boise will resound with a shout of victory, such as has never been heard yet, when the verdict is brought in.

TO McPARLAND

By J. W. Bell.

(Written for "The Socialist")
The world shrinks from the Haywood trial. "He shall never leave the state alive," has created Orchards by the thousands.

Judging by the governor, he being the Head and Front, Idabo is a dis-honest state. Any Orchard yet there and not CONVERTED to dishonesty

and not CONVERTED to dishonesty had better leave.

The promise must be made good; if they can't hang, keep Haywood where he is till he dies.

Idaho hangs a man for hiring an-hiring Orchard by his perfidy to kill

Haywood.

What kind of fruit will that Orchard bear? Convert him Mac, but his religion stands inverted.

Instead of a manger he was born and his morals face the

in a kennel and his morals face the other way. thought. Orchard is the worst of the

If to be desirable we must throw

away our reason, believe against the evidence of our senses, and acquiesce in the dictum of one who barely a in the dictum of one who barely a week before was publicly pilloried as as falsifier by one of his political allies from whom he had solicited financial aid—if I say, to attain the ideal desirable citizenship of the Roosevelt conception, we must become fools and slaves, then I object. And I take it that you object also; else were there little hope for you and for the cause you represent. To qualify as a desirable citizen in this sense, the workingman must remain a humble, obedient, uncomplaining, unthinking beast of burden, piling up wealth for the exof burden, piling up wealth for the ex-ploiters and never daring to question their conduct, economically, politically or in the dispensation of justice. ly or in the dispensation of justice. That is our role. We must act the part of the "dumb, driven cattle" in order that Mr. Roosevelt may pose as the "hero in the strife." And if we start at the scent of blood as our fellows are being driven to the shambles, we are told to behave and not disturb the orderly procession.—From speech by Jos. Wamhope, New York, May 4, 1907.

Don't give up if you don't land a subscriber at first. "Keeping eternal-ly at it" will surely bring results. If each one only gets one, two or mere subscribers it will in the aggregate can make "The Socialist" one of the strongest and best papers in the country if we will only give the present competent editorial management the financial backing it needs and has so richly earned and deserved. They have been jailed, maligned and abused by the capitalist authorities and press of Seattle, and what is worse, Mills and Shoaf and the "Social Democratic Herald," of Milwaukee, and others of like stamp in the Socialist Party, seem bent on talsifying them and hope that will destroy "The Socialist." Let us all fight for "The Socialist." Let us all fight for "The Socialist." I gainst these, its worst enemies, till we place it in such a strong position that they cannot dislodge it with its honest, fearless, capable and efficient editors, writers and contributors.—W. H. Roome, Minnearolls, Minn.

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One of the witnesses summoned by

right! Frye and Halvorson were paid \$86

While waiting around town Frye

Now ... Hawley and Borah answer!

The town is full of witnesses for the Defense, some 200 or more. Some were in the bull pen in Idaho; some were in the bull pen at Telluride. There are reunions of old friends at every street corner. It is, "Hello, Bill," in earnest! It is such remarks as the following that one hears every

make many. Don't excuse yourself and leave it to some one else. We can make "The Socialist" one of the

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THE ONLY PERSON WHO VOLUNTARILY GIVES SOMETHING FOR THE ONLY PERSON WHO VOLUNTARILY GIVES SOMETHING FOR nothing is the Wageworker. I do not pretend to do that but when you buy a Diamond, Watch, Clock, Artistic Jewelry, Silverware of me, or have your eyes fitted with glases by me I try to treat you in a way that makes you a permanent customer. My light expenses and long experiends in the busi-

THE SOCIALIST / 14 News Lane

SOCIALIST PARTY PAGE

Conducted by ERWIN B. AULT

Local Seattle

Friday evening, June 21, some of the friends of "The Socialist" met at the office and discussed strawberries and ice cream and plans for the com-ing lawn festival at Wagenknecht's house. There were about 30 present, and all had a good time.

Comrade J. B. Osborne, of Oakland, Calif., who is to speak in Washington under the direction of the State Committee during July, passed through Seattle on his way to Victoria last Wednesday. Comrade. Osborne says the prospects of the new Socialist daily "World" in Oakland are excellent and that things will go better than they did for the weekly. Comrade Osborne begins his meetings in this state with an afternoon meeting at the Socialist Temple in Seattle, July 4.

Jack Kemp, one of L'al Seattle's stalwarts and leader of the Kemp Mandolin Trio, is the happy father of a bouncing boy baby, which came to his home Sunday, June 9. The best wishes of "The Socialist" and of all Socialists who know Comrade Kemp attend the new Socialist.

We print an extra edition of "The Socialist" every Saturday morning. This "extra" is sold on the streets of Seattle, Portland, Tacoma and Everett and is for sale on Seatle news-stands. All Seattle subscribers who want the latest reliable trial news should purchase this extra at the news-stands.

The Boston Candy Kitchen wants your trade. That is the reason they advertise in our paper. Look up their Ad. in this issue. Fine fruits, candies and ice cream. Don't fall to tell them where you saw the Ad.

Washington !

Abstract of Monthly Report for the State of Washington for the Month of May, 1907.

Number of Organizations: Not re-porting, 42; reporting, 23. Total num-ber of Locals reported, 75 are in good standing, and 15 more are in bad

Membership: Paid up to date, 565; total membership, 985. Admitted dur-ing month, 41. Dues Stamps: Sold, 611; on hand,

Literature: Sold or distributed,

Meetings: Business, 57; propa-

ganda, 40.

Cash: Amount on hand, \$141.53.

Of the 40 propaganda meetings reported, Local Everett alone reports 20. RICHARD KREUGER.

Locals Organized During the Month of May.

Winlock, Frank Wintraak, secretary, Winlock,
Roslyn, Jacob Hill, secretary, Roslyn, box 10.

lyn, box 10.

Spokane, No. 2, A. Latinen, secretary, Spokane, 1517 Clarke avenue.

Raymond, No. 2, J. T. Johnston, secretary, Raymond.

Allyn, J. W. Barklay, secretary, Allyn. Chehalis, George Baxter, secretary,

The "Olympia State Capital" and the "Prosser Record" were the first two papers to respond to the solici-tation of the ktate office to subscribe for our National Plate Matter. Comrades should bear in mind that "one hand washes the other." If you are not a subscriber to either of these

two papers, subscribe now.

Write for a sample copy and the excellency of the Plate Matter will make you feel envious and you will kick yourself that your local has treated this Plate Matter proposition in so indifferent a manner. But, com-rade, better late than never.

The Finish local in Winlock has increased in membership 100 per cent in two weeks after granting of char-

We now have eight Finnish locals in this state, and without exception every one believes in discipline. They pay the dues before the eighth day of each month and in every instance ac-companied by a monthly report and duplicate of the accepted applications during the preceding month. Wonder if this fact has anything to do with their efficiency otherwise, or is it only due to the fact that they are doing business in their own halls, erected on real estate they also own and pay

The Centralia comrades must be surprised at their tolerance in the party in spite of the fact that they do not carry their happy homes on their backs. Something wrong here. We either are partial or not consistent, or else some of the Centralia comrades tell fibs.

In Comrade W. H. Eaton's barber shop, 423 Puyallup avenue, Tacoma, the patrons do not only enjoy a first-class tonsorial treatment, but an intellectual one as well. Each patron receives on his departure from the shop some kind of Socialist literature. Nothwithstanding this fact, some Tacoms of the shops of the shops. coma comrades patronize other shops and some even shave themselves.

Annually the Pioneer Association of Lincoln county holds a picnic. This year Comrade John Unbewast of the Harrington Local secured space on the program for a Socialist speaker. Through the State Office it was arranged that Comrade Call should fill that space. fill that space. However, in ans we failed. Other speakers were not available through the State Office. To be supplied from any other source the comrades in Lincoln county de-nied themselves. While it is to be regretted that the State Office could not supply the speaker in place of Comrade Call, nevertheless we will have to commend the Lincoln com-rades for their party spirit. They be-lieve in a thorough, systematic, and rades for their party systematic; and lieve in a thorough, systematic; and what well grounded organization, and what is more, they know the method by which this is brought about. In Stevens county we have Social-lats of the same stamp. There a local

was organized only a few months ago on the Columbia river. What the State could not do, this local has accomplished. Comrade Lee Bilderback requests the state secretary to send a Socialist speaker for a Socialist picnic. Comrade Osborne is expected to warm them up on this occasion. The following program has been decided upon: July 30, boats to run both ways on the river under one-half fare. 10 a.m., speech by the local chairman, to be followed by literary exercises by the Socialist young folks. Dinner. At 2 p. m., address by Comrade Osborne. Rest of day, dancing on big platform. Orchestra and brass band and other attractions.

May they enjoy themselves, and we May they enjoy themselves, and we learn from them.

Comrades Harkness and Enenkel of Local Liberty will invade Cle Elum on June 29. Comrade Wienicke, a member-at-large, will assist to arouse the wage slaves in the coal mines. They will give a good account of themselves.

The only literature sold during this nonth from the stock on hand in the month from the stock on hand in the State Office was on the streets of Ta-coma. However, comrades will kind-ly bear in mind that still a large amount is on hand to be disposed of to comrades at prices equally as low as the Chicago prices, and your order will be filled the same day we receive them

An abstract of the monthly report for the state of Washington is sub-mitted for your consideration, and kickers and faultfinders are requested to kindly sinvestigate whether their local is included in the smaller or the larger number of locals reporting or not reporting respectively.

The few comades who so kindly volunteered to handle some of the Perpetual Campaign Coupon Books are requested to submit a report as

to the result.

It is to be regretted that so few of the comrades have interested themselves in this matter of raising a fund for so werthy a cause. How-ever, the state secretary feels by no means discouraged; he will yet raise a fund for campaign purposes and by the "get-rich-quick" process.

Some comrade has placed in my hands the sale of 40 acres of land suitable for raising fruit. This land is situated 2½ miles south of Long Branch on the beach; the timber on the same will fully pay the purchase price. Fare by boat from Tacoma, 25 cents. Also 4 lots in Tacoma, corner Sixty-second and A street. The 5 per cent commission on this sale 5 per cent commission on this sale will go to the organization fund. For full particulars enquire of
RICHARD KREUGER,
2305 1/2 Pacific Avenue, Tacoma.

State Executive Committee.

The regular meeting of the State Executive Committee was called to order at 8 p. m. John Downie, of Seattle, in chair, and Comrades John-son of Puyallup and Mudgett, of Ta-

coma, present.

After reading and approval of min-utes of the previous meeting, an ap-plication for membership in the Par-ty as a member-at-large from Com-rade August Willig, of Issaquah, was rade August Willig, of Issaquah, was
favorably acted upon, as was also on
an application for a charter, signed
by nineteen comrades of Gate City.
Local Echo Valley reported the expulsion from the Party of one Alfred
Gardine. The charges underlying
said expulsion were not reported.
A communication was read from
Local Centralia relating to that local's plan by which the comrades ex-

Local Centralia relating to that local's plan by which the comrades expect to perfect the organization of Lewis county. The state secretary was instructed to communicate with local Centralia and state to them the position of the State Committee on the matter in question.

Local Seattle's protest against the action of the State Committee in accusing that local of having acted in an unconstitutional manner in dealing with the Mills case was ordered filed for the present.

Relative to a second protest from

Relative to a second protest from that local in connection with the ac-ceptance of the dues from the Finnish branch by the state secretary with his act to the City Executive

Committee of Local Seattle.

Upon the following questions submitted by the Local Quorum to all the members of the State Committee, "Question 1. Shall the State Com-

mittee vote to meet and try Local

Question 2. Shall the State Committee delegate the State Executive Committee to get the evidence in the case, and submit same, together with a statement from both those prefer-ring the charges, and those charged, to the entire State Committee, upon which the State Committee shall act? Comrade Lohrentz of South Bend

from voting. Comrade Johnson, of Puyallup, voted yes to question one. All others voted "yes" to question Comrade Boomer's vote was re

ceived too late to be counted.

The following motion was passed:
The members of the State Committee Socialist Party of the State of Wash-ington by referendum vote have in-structed the Local Quorum to secure all evidence for and against Walter Thos. Mills, and why Local Seattle gave him no trial upon these charges, the same to be submitted to the full State Committee for action.

The state secretary was instructed

The state secretary was instructed to proceed and prepare at once the evidence in the proper documentary form and notify Local Seattle that they do likewise, same to be ready and in the hands of the state secretary by 7 p. m., July 7, 1907. The decision then to be submitted to a referendum vote of all the members of the State Committee, in accordance with Article IV, Section 12.

Adjourned to meet again on Sun-

Adjourned to meet again on Sun-day, July, 7, 1907, at 7:30 p. m. Fraternally submitted. RICHARD KRUEGER,

secure his services after that date should notify the State office at once. Posters to advertise Comrade Os-borne's meetings have not arrived yet.

All orders received for stamps, supplies, etc., in this office, will be filled the same day as they are received. Should you not receive them within five days, kindly inform this office at once of the delay.

Comrade E. J. Brown, of Seattle, addressed two meetings at Tacoma last week, one Saturday evening on last week, one Saturday evening on the street, and one Sunday evening in the hall. The street meeting was well attended with an interested crowd, but owing to the heat of the day the hall meeting was not so successful. There were several new faces present, however, and the meetings were undoubtedly productive of good results.

Local Puraling invited the office force of "The Socialist" to a straw-berry social last week and promised to fill us all up. Owing to the fact that we are all trying to do two or three men's work apiece, we could not accept the invitation, much as we would have liked to be present. We trust the Puyallup comrades enjoyed themselves, even though deprived of our valued company.

Comrade Irene Smith has been holding meetings at Outlook, Sunny Side, Toppennish, Wapato, Grand View and other places in the southern part of the county with marked success. Ministers, bankers and all classes of men attended her meeting, listened attentively and took part when questions were called for and received such forcible but polite answers that they had to acknowledge. swers that they had to acknowledge she was advocating the only issue of the day. The leading banker and representative of that part of the county admitted to a few of his personal friends after the meeting, "She is a cracker jack. She wil be at North Yakima, June 23, speaking four nights.—WILL BOYD. the day. The leading banker and rep

Resolved, by Local Echo Valley, state of Washington, That we condemn the utterances of the "Appeal to Reason" in villifying Dr. H. F. Titus without bringing specific charges against said Comrade Titus or giving him an opportunity to defend himself in any manner whatever, and

Resolved further, That we, as mem bers of this Local withdraw our pat ronage to said "Appeal to Reason" unless said "Appeal to Reason" fur-nish proof of its accusations or apologizes for its utterances;

Resolved further, That a copy of these resolutions be sent to the "Ap-peal to Reason" and to the Seattle "Socialist."

Adopted by Local Echo Valley in egular meeting, June 23, 1907. G. G. SEVERANCE, Secretary.

General Notes

An early issue of "To-morrow" will be made up almost entirely of the writings, history and appreciations of, Eugene V. Debs by a dozen leading reform journalists. Walter Hurt, a close personal friend and co-worker of Debs, will have entire charge of this Debs Special. Walter Hurt was formerly editor of the "Culturist" and formerly editor of the "Culturist" and is now writing a thrilling story found-ed on the Moyer-Haywood conspiracy. He is a master of modern poetry, prose and reform journalism.

"The Christian Socialist." 5406 Drexel avenue, Chicago, has issued "Frances Willard's View on Socialism" in a small pamphlet suitable for handing to your Christian friend. The booklet is made up of the various expressions of Miss Willard on this subject, culled from various reports of her speeches, and is calculated to arouse the attention of the ordinary church member, if nothing more. The price is 10 cents per copy, at this office.

The report on this side that Bebel had repudiated Paul Liebknecht's recently suppressed book on German militarism, caused a reply to be made by our comrade in a recent sitting of the Reichstag in which he stated his the Reichstag in which he stated his remarks had no connection with Lieb-knecht's book because the views con-tained in the book correspond in ev-ery degree with the position of the party. In answer to the statement that he had wished for Germany a defeat in war he repudiated it, but stated that there might be worse stated that there might be worse things for Germany than such a de as the defeat of the Prussians at Jena and the Russians by the Jap anese. Such cases proved it might be a most effective way of getting rid of an old and reactionary govern-

Pennsylvania Socialists held a state convention. June 8 and 9, at Harris-burg, which was the best attended they have ever held. Samuel Clark, of Philadelphia, was nominated for State Treasurer. Reading was se-lected as State Headquarters for the coming year. The secretary's report showed stamp sales averaging 650 per month more than the previous year. Total receipts from all sources were \$3,974.40. The debt of more than \$590 that the party began the year with has been practically wiped out and the organization is in better financial condition than ever before.

During the past month the Socialist Party of Cook County, which is the official title of the party in Chicago, had an increase in its membership of about 300. In an organization cam paign now being carried on districts have been reached which have never before been touched.

Report of State Committee of Connecticut meeting June 9th, has been received. Comrade Alfred W. Smith resigned as State Secretary but agrees to fill the office until his successor is elected, and a call is being issued to locals for election to fill the

Comrade J. B. Osborne's lecture comrade George Williams, Organ-tour will begin on July 4th in Seattle. Izer for Local San Francisco, Call-Dates have been filled to July 14th fornia, writing to National Headquar-inclusively. Locals who may wish to ters relative to the need of a good

campaigner there, says: "The State Committee has written the National Committee requesting them to send a good speaker and agitator to San Francisco to speak during the present campaign. The necessity for one is apparent to anyone who is acquainted with the conditions prevalent in this city. The old parties are disintegrating; the Union Labor Party has disgusted the workingmen with its inefficiency, and the incompetency and corruption of its leaders, the class struggle is actually on and at present the workers are fighting on the economic field under great odds, so it is only natural that they should look to the Socialist Party as a political reflex of their economic needs and desires."

The Michigan State Executive Committee, through State Secretary Geo.

H. Lockwood, has filed an application for the appointment of Comrade A. M. Stirton, of that state, as National Organizer, and asks that he be assigned for work in Michigan.

Just another strong pull, and the Plate Mater Committee will be put to hard labor. Comrades, we want contracts enough to start the plate service with at least seventy-five subscribers, in order that the weak-kneed fellows who will fail by the wayside may not pull our subscrip-tion list below the required sixty. All together now, let's have our Plate Service in full swing by July 1st. Blank contracts will be furnished from this office.

American tour being planned for Comrade Enrico Ferri. Under date of June 12, Comrade F. M. Garzone, Sec-retary Societa Co-operativa di Con-sumo, New York City, writes that Comrade Ferri has expressed a will-ingness to visit America, provided the comrades will use him for both propaganda and a course of scientific lec-tures. All interested should write Comrade Garzone, care J. Giovana, 107 W. Third street, New York.

Comrade Work has made a motion that the National Office contribute \$50 to the expenses of Comrade Ida Crouch-Hazlett, who is furnishing reports of the Haywood trial to several Socialist papers. It would be quite as reasonable to contribute to Com rades Shoaf McMahon Titus etc are also furnishing reports to Social-ist papers. Even if the papers interested cannot support Comrade Haz lett they should not be assisted more than other papers probably equally needy.

All those who applied for credentials to the International Socialist at Stuttgart will receive them with the ex-ception of Comrade Nicholas Klein who received three votes in opposi who received three votes in opposition, those of Comrade Hanford, Hill-quit and Work. The reason adduced by Comrade Hanford is that Comrade Klein at the last Congress acted pretty much the clown and otherwise brought discredit on the American delegation. Comrades Work and Hill-quit did not give their reasons.

I want to apologize to Comrade Barzee for the way his article was mutilated last week. Owing to the rush at the last moment the proof was not read and the intelligent com-positor had not been as intelligent as might be and the result was that Comrade Barzee's letter had two or three dozen errors in it.

The June number of "The Industrial Worker" (Sherman branch) con-tains a long article entitled "Exposed —S. L. P. and Pinkerton Labor Spies Employ Same Tactics." The infer-ence intended to be conveyed is that perhaps Danny and his noble crew are in the pay of the capitalist class. This jibes with the story which went the rounds some years see and which the rounds some years ago, and which Danny never denied, that he had re-ceived \$50,000 from the republican party to start his daily "People." It will be remembered by those older ones in the movement that Julian Pierce, who was business manager of "The People," stated, when he left that position, that he "could account for every penny that was expendedthat he knew exactly where it had gone—but he could not tell where the money came from.'

In reply to the motion of Comrade Reilly of New Jersey that the alleged fusion deal of the Social-Democrats of Milwaukee with the trades unions of that place in the election of men bers of the school board be investigated, the State Executive Committee of Milwaukee denies that the party fused with any party but admit that they supported the candidates put up by the unions. In extenuation they plead that the school board elections are "non-partisan" (whatever that means) and that no party can nominate, and in the same breath they announce that the unions nominated and they supported the union nom and they supported the union nom-inees, who were also members of the Social Democratic party. It seems from this distance that Milwaukee has very similar laws regulating school elections as those governing Seattle, where they are also supposed to be "non-partisan," but where, for the past six years, they have always been between the candidates of the Socialist party and the candidates of the capitalist class, who did not find it necessary to nominate more than erough candidates to fill the posicrough candidates to fill the posi-tions. It seems to us that it is about time that these continual violations of the letter and solid in the continual of the letter and spirit of our party constitution on the part of the Wis-consin organization should be stop-ped, and if they do not of themselves ped, and if they do not of themselves accept the decision of the majority as final they should be cut off from intercourse with the Socialist party of the United States and a real Socialist party organized in Wisconsin. There is but little doubt that according to the this will have to be done anyway, and the sooner it is done the faster will the work of the revolution proceed. The National Committeeman o

Connecticut has moved that the Na-tional party adopt a design for a seal and that all locals be supplied uni-formly with such seal, so as to pro-teet the party correspondence. Not a tect the party correspondence. Not a bad idea, though pretty costly at first.

"The Vanguard" comes with a no-be requesting review. "The Van-Editor "The Socialist:"

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Other things being equal, I promise to support the advertisers in "The Socialist." Signed,

ONE HUNDRED BOOSTERS IN PORTLAND.

guard" is a monthly publication of the Social Democratic Publishing Company and contains a lot of matter that appears from week to week in "The Social Democratic Herald." It is five cents a copy and fifty cents a year. This month it is chiefly dis-tinguished by the fact that it has stolen a part of a cartoon published by "The Socialist" three years ago, and has given no credit. Merely another chapter for our large book on Socialist Newspaper Ethics.

The state organization of Montana has a party-owned paper, but up to the 18th of the month but two locals had forwarded their dues to the State

Associated Press reports say that Dr. Sun Yat Sen who, it will be re-membered, applied for admission to the International Socialist Bureau as a delegate for the Chinese Socialists some two years ago, is the leader of the great rebellion which is now going on in China. Comrade Sen is said to be a brilliant military leader and has great chances of winn campaign. The rebels are asking for a republic and union with Japan as a prelude to their affiliation with the cialist Republic.

Hurrah! "The Worker" comes out with another headline clear 'cross the front page. Next thing WE know we will be pushed to keep up our repu-tation as the "yellowest" of the Socialist papers.

Farmer Debate

Walter Price Comes Back at D. Burgess and Denies That the Working Class Has a Mission or That the Socialist Party is the Party of the Working Class. (Owing to the hurrled departure of

Comrade Titus to Boise, Comrade Price's communication below, which was received before the trial started, was mislaid, and just came to hand amongst a lot of other manuscript. We are sincerely sorry this accident occurred and are trying to remedy the error at this late date to the best of our ability. We trust both Com rades Price and Burgess will overlook our negligence and continue the de-bate for the best interests of the So-cialist party.—Mng. Ed .

come up to the scratch more promptly in my proposed debate with Comrade

In explanation, will say that I have been under quarantine for smallpox for a long time, and that I was very sick for a part of the time, and that I am very weak yet, and my farm work is in such shape as to require

all of my attention.

Comrade Burgess qualifies his acknowledgement that I am a Socialist. He expresses some surprise that many farmers are Socialists.

Very well. I will express my sur-prise that so many wage-workers are Socialists. It looks easy to me for a man who owns his own job and home to be an active Socialist, but for one whose job and home are both dependent on some other man, it doesn't look so easy. The wage-worker has been taught

for so many centuries that it's all right for the other man to own both the job and the home that it will require almost a miracle to jar him loose from his superstition. So cringing and slavish is the average worker especially the common laborer. one is much surprised to find an advocate of Socialism among them.

Comrades Burgess and Herman and

a few others who can be named deserve much credit for the stand they have taken. I understand that Comrade Burgess' family is grown, and that Comrade Herman has no family, hence they can afford to be bold. A proletarian with a family of eight

children can hardly be expected to be so bold as is Price, who owns his own job and home. I understand that there are Socialists in the cities who farmers are scarce in the cities. I pity the poor people in the cities who do not get to see farmers who are So cialists. No wonder their heads and their visions are narrow!

Comrade Burgess talks about the "historic mission of the wage-work-er." I deny that the wage-worker has any "historic mission." I do not care who has written a book or manifesto saying so, it is not true.

You cannot show in the past that the wage-worker has been anything more than a tool in the hands of others, except in a limited degree. If you will show me anywhere in history that the wage-worker has done anything for the uplifting of humanity or his class, I will show you an equal number of wage-workers who have number of wage-workers who have been their opponents. Talk about organized labor; there

are more unorganized laborers the country over than organized.

Talk about the solidarity of labor; there are as many wage-workers today as ever who for hire will take the job of another, or with guns in hand buildoze their fellow workers.

Who is it makes up the militia and regular army? Is it farmers? No. I will venture the assertion that the large majority of them are wage work. ers. These are facts which can be seen by everybody and no amount of theorizing can overthrow them. I protest against this war within the So-cialist Party against farmers or those who have a little property. If you do not believe that the farmers are true comrados, you ought never to have admitted them. If the basis of Socialism is wages and proletarianism, the con-stitution should expressly say how

many dollars a man shall have to be eligible as a member. You have admitted us farmers and take our money as dues, and continue to insult us by doubting our orthodoxy and motives. By skillful manipula-tion of the party machinery you keep us back in the management of party affairs.

And those who do these things are a very small part of those who vote the Socialist ticket. I doubt very much if there is more than 2 per cent of the actual Socialists of the state who are active in this outrage in the sacred name of Socialism on their fellow workers.

If the cause of Socialism is ever

won it must be by the co-operation of everyone who believes in it. The theory that the wage-worker alone can solve it is false. The wage-work-er will in the future, as in the past, take his position as his conscience dictates or as his superstition and prejudices direct him.

I expect in this conflict to touch shoulders with the wage-workers, the farmers and other small property owners, and in the ranks oppostn; us I expect to see, as has always been the case in the past, the wageworker under capitalistic officers.

> Yours for Socialism, WALTER PRICE



Does it follow from that that every man who was in the bull pen or every member of the Western Federation of Miners, of every miner, or any other large class of people, entered into a conspiracy to kill a governor seven years later? It is absurd upon the face of it. Do you suppose a miner could be brought into this court and because he happened to be in the bull pen, and because he hap-pened to use intemperate language in 1899 or in 1900 over a political mat-ter upon which all sorts of people ex-pressed their opinion in the freest possible way, that he could be charged with a conspiracy? If so, there isn't a member of Congress, there isn't a senator who could not be charged with conspiracy upon the one side or upon the other. in the bull pen, and because he hap-

one side or upon the other.

I undertake to say there was not political speaker who went up and down the state of Idaho and throughhe United States who could not be charged with being a party to a conspiracy upon the one part or the other. It takes something besides intemperate language, something besides feeling, something besides a cause for prejudice, to make out a conspiracy to kill, and there has been nothing else in this case.

That is followed up with reading from the "Miners' Magazine" certain articles showing that those who were then in charge of the "Miners' Magazine," used intemperate language against Ex-Governor Steunenberg. Now, what is there of that? Only one or two articles have been read from the "Miners' Magazine" since Mr. Haywood had anything to do with it, and I submit they are the most tem-perate of any. You could not com-pare them for one single moment with one single issue of the "States man of this city or pretty nearly any other newspaper that pretends to discuss the issues today, not once for a There were many of them vigor in it was a quotation from a congressman containing a piece of a poem from James Russell Lowell that we used to recite loudly and vigorously when we went to school years

Now, that is the conspiracy and that is all there was of the conspira-cy. Just think of it a moment! At that time Mr. Boyce was at the head of the organization. The most vehement of these articles bore his sig-nature. Almost everyone of them was printed when this defendant was an obscure miner working down in the bowels of the earth over here in Silver City. Not a single word from him. Not a single line from him. The articles introduced are written by someone else and are clearly in line with the articles and with the speeches that were delivered and written all over the United States at that time and with which he was in

no way connected, AND STILL WE ARE TOLD THAT EVERYONE OF THESE MINERS-EVERYONE OF THESE MINERS AND EVERYONE OF THESE PEOPLE THEN EN-TERED INTO SOME CONSPIRACY TO COMMIT MURDER.

.Why, it is of a piece with the statement of one witness in this case, and just think of it. Here is a man who has been followed for years; a man whose every act and whose every word, spoken and written, has been noted for years, and able men have been following his footsteps and able people have been collecting from the four corners of the United States ev-ery scrap of evidence they could get, and they brought one man bere who in 1899, at the very height of this excitement here, may have heard him use some intemperate language in reference to Ex-Governor Steunenberg. but not a single individual has been brought upon this stand who ever heard him say one word in the seven. years since; and for four years there is not a scrap of evidence in this rec-ord that the "Miners' Magazine" ever mentioned the name of Steunenberg; and yet we are told, with the possible exception of once—and that was in 1902, I think, but I am not very certain, it was one presidential campaign—and yet we are told that all these men were in a conspiracy to murder

Supposing these men had been run-ning a great newspaper and had made frequent charges against men high in political life or industrial life, and had published editorials day after day and cartoons day after day in reference to political men and men engaged in industrial affairs; and supposing they are killed, does that prove a conspiracy to murder? Does it prove had anything to do with If it has any effect whatever in fastening any crime upon them, it would be safer to shut down the printing presses and forbid public speaking, forbid the discussion of public questions. If, because of any intemperate word of political discussion, someone is liable to lose his life on a charge of conspiracy, it would be far better to follow that policy. There can be absolutely nothing

upon any theory, in the idea that a great labor organization in 1899, or in the years thereafter, soon thereafter, entered into any conspiracy against the life of Ex-Governor St nemberg. Nothing happened long af-ter to show that a number of men entered into a conspiracy. That may be the theory of the case to bring a verdet from the jury where there is no evidence, but that will not do.

That was not the evidence of this self-confessed criminal. His evidence was that this defendant and W. Mor.

was that this defendant and Mr. Moy er, and Mr. Pettibone hired him and gave him directions to kill this man, that man and the other man, and he went here and there to exe-cute those commands just as those commands were given, FOR HIRE. He did it for so much money, but not that a large number of men or a that a large number of men or a small number of men were in any general conspiracy to do any illegal acts, but the certain specific individuals had employed this one to go and do their bidding wherever they saw fit. One man directed him, one man told him to go here, another teld him to go there—and of these three men and the certain member of the beard, whether it is an industrial organization.

only Haywood or only Pettibone.

Now, that is the only theory upor which any of this evidence. I take it, was presented to this court, or could have any bearing with this jury. If there was any such general conspi-racy, your Honor, I want to know why it is that just these three men, or these four men, have been singled out to be indicted and tried before this jury. If there was any general conspiracy at the time, and those men were in the bull pen, in 1859, and while other men were in charge of this organization, men whose words have been read and for whom we are to be held responsible, why is it, I sk you, that only these men who at this particular time were in active charge of this organization, why have these men been singled out for slaughter?

If your conspiracy is as broad as you say, why not reach out and get them? It was not presented upon the theory that this man, confessing himself to be an assassin, confessing himself to be hired, that he was em-ployed to do this work, and the other work, and that the men who hired him were responsible for the acts as they would be if there was any legal evidence to connect them.

Now, it is perfectly plain that if Harry Orchard confesses that he com mitted a crime in San Francisco, and then you produce evidence from San Francisco that some such thing was done, that in no way connects this de-fendant or any one else with the com-mision of that crime, and so far as that is concerned, there is no evi dence of crime in San Francis o, IF

HIS TESTIMONY IS LEFT OUT OF THIS CASE

There is no evidence of any at tempt to compass the death of Gov ernor Peabody, IF HIS EVIDENCE IS LEFT OUT OF THIS CASE.

There is no evidence that any mem bers of the miners' organization ever had anything to do with the Vindica-tor mine, or with the explosion at

the depot. IF HIS EVIDENCE 'IS LEFT OUT OF THE CASE, and as to that, the first specific charge that s made that these men ever had any thing to do with any of these affairs after 1899 was at the time of the ex-plosion of the Vindicator just in the

last end of 1903. In 1899 it was not pretended that Orchard had anything to do with the organization whatever, excepting that he had and carried a card for thirty days. He knew none of these defendants. He had nothing to do with any of them, he had nothing to do with any of the active members of the organization. He simply held a card for thirty days and got on the train with those other men and went down to this mill, and you hear nothing nore of him until the last days of 1903, and then he tells this court and this jury that he went into the Vindicator mine at that time, not even acquainted with any of the parties charged with this indictment, at that time having nothing whatever to do

with a single one of them, AND DID SOMETHING WHICH NOT ONE OF THEM KNEW ANYTHING WHAT EVER ABOUT; and without his evidence there is not any connection whatever to show that any crime was committed at the Vindicator mice at

that time, and if so, not one of these men knew anything about it. The next he says, while he was a miner there at Cripple Creek, in the midst of a great strike that had been lasting for months, WITHOUT ANY

SPECIFIC DIRECTIONS FROM ANY ONE OF THESE DEFENDANTS, WITHOUT BEING HIRED, he put some powder under the depot at In-dependence; but as to what he did there is nothing in this record what-ever excepting his testimony; and he does not swear that he did it at the

bidding or in behalf of one of them. And what followed that? He says that he killed Lyte Gregory. What sort of a conspiracy could exist, or what sort of a conspiracy had been proven or could be imagined, to get rid of him? If there was one, where and who was in it, and how was Gregory connected with it? According to his own testimeny, he went out with one or two other men, and ex-erything in reference to Gregory rests upon the testimony of Harry Orchard alone. Not another man saw him, no another person even recognized him much less connecting this defendant or any other man indicted with him, with the commission of that offense with the commor that crime.

And when it comes to the question of Bradley, where he himself has sworn that he attempted to commit crime, or attempted to commit the crime of murder, there is no evidence in this case that could for one mo ment even connect Harry Orchard with it, excepting the statement of Harry Orchard alone—nothing else, and much less connect any other in-dividual with it whose name has been

As to Jack Simpkins, the evidence in this case has shown that he was in the bull pen in Northern Idaho in 1899. If he had anything whatever to do with the Caldwell matter, his motive was plain, his reason was plain, but without the testimony of Orchard there is nothing to connect him excepting that he went down to Caldwell and registered under some

other name upon the hotel register.

I trust we have not got to where a man can be convicted of murder merely on the false registry of your name on a hotel register. There might be any number of reasons falling far short of murder, and there is no presumption whatever, because a man registers some other name than his own that he is present in a town to commit murder; but if he were there and there for that purpose, what is there that directly connects this defendant will him or with Orechard.

political organization, that because one of the members was guilty of a crime that every member of the

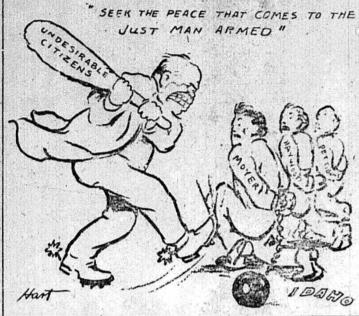
board was in a conspiracy with him to commit that crime?

I take it that there is nothing in this case to show that the main purpose, or certainly the sole purpose in this Federation was murder. Their membership consisted of some 40,000 men; it was a regular labor organization formed like any other and op-erating like any other for the benefit of the class to which they belonged It might be true that some member of the organization would be guilty of crime, that he might have commit-

is that evidence against him? And could that by any possible means connect him with the crime? One Paulson gave Harry Orchard the \$300 with which he went to Cald-

well to murder Steunenberg. Is there anybody in Idaho or anywhere else that believes that Gns Paulson was guilty of murder because of that? He took dinner with him; he gave him \$800; he took that and bought a ticket to Caldwell and paid his bill with it, and he murdered Gov-ernor Steunenberg. Does any infer-ence follow from it? Suppose he had bought the ticket and given it to him -does any evidence of guilt follow from it?

How far it is, your Honor, between giving a man a bundred dollars and making him guilty of murder, because the man who receives that hundred dollars commits a crime? Why, I take of crime, that he might have commit-ted murder, but it could not follow be safe under the law of the land if



from that that every member of the organization, or even every director of the organization, was in a conspiracy with him to do it.

WHERE IS THERE A SCRAP OF EVIDENCE , HAT COULD TIE HAY-WOOD TO IT-DIRECTLY TIE HIM TO IT? Why, it is a strange thing,

if true. Suppose Senator Borah's statement is true, or his theory is true, that here was an organization that for several years was bent on murder, and that these men who have been indicted here were the leading of that organization, that they had killed some twenty people an committed crimes without end, and yet in what year—in what year were these men who were connected with this organization-were they engaged in this business? Not one person ever saw one of these men with a stick of dynamite; ever heard them use a single word by way of making a threat, have listened to a single syllable connecting them with any one of these crimes. WHERE IS THERE ONE SINGLE WITNESS IN THIS CASE WHO HAS EVER HEARD A LISP CONNECTING HAY WOOD WITH IT? And yet we are told that for ten years, or for eight years at least, he has been an active member in this plot of assassination, and WE HAVE GOT NOTHING EX-CEPTING THE STATEMENT OF A MAN WHO IS TESTIFYING AGAINST THE LIVES OF THREE OTHER MEN TO SAVE HIS OWN AS COOLLY AND DELIBERATELY AS HE EVER TRIED TO MURDER ANY HUMAN BEING IN HIS LIFE, ACCORDING TO HIS OWN STATE-MENT: AND WHO IS TESTIFYING FOR A BIGGER REWARD THAN HE EVER RECEIVED FOR ANY MURDER BEFORE.

When they sum up this testi-*mony, out of the whole mass of *passion and feeling and prejudice,* *out of the whole detective-made* *case from the beginning to the end,*
after five years of following these
*men for the purpose of getting in-*criminating evidence, and are then *asked to lay their hands upon it.*
they say what? That Haywood sent *a draft to Jack Simpkins on the *21st day of December, and that on *the 30th day of December Petti-* bone wrote a letter to Orchard in *Caldwell saying that something had *been sent to Jack for him.

Now, for the purpose of this motion we will construe that, the strong est it could be construed in favor of the State, without discussing the question of whether Pettibone wrote the letter, without discussing why it was that Haywood sent the dra't, without discussing why the letter was without discussing why the letter was written, let us make it just as strong as the State could possibly imagine, and then see if there is a single thing in that evidence which could connect Haywood with killing ex-Governor Stennenberg in Caldwell—and that is consequently the consequently the state of the consequently the consequently the state of the consequently the consequen all there is in this case, and they have not been able to lay their hands on a scrap of evidence that they could argue could directly connect him with

Now, what they would argue as to this circumstance seems to be some thing like this—and I put it as strong as I think they would dare to put it even if we put in no evidence what-ever—that on the 21st day of December Mr. Haywood sent a hundred dol-lars to Jack Simpkins, that a little later than that time Harry Orchard inter than that time Harry Orchard wrote a letter to Pettibone asking about some money, asking for a hundred dollars—put it as strong as Orchard put it, and that is a strong as could be imagined—that thereupon Pettibone either went to headquarters or called up by phone and found that a hundred dollars had been sent, and he wrote Harry Orchard telling him that the money had been sent. Now, what of it? Suppose, yeur Honer, that Mr. Haywood had sent a hundred dollars direct to Harry Orchard at Caldwell while he was there to murder ex-Governor Steunenberg,

a circumstance like that could incriminate bim. AND YET, WITH ALL THEIR WATCHING AND WORK THEY HAVE NOT HAD A LISP, THEY HAVE NOT HAD A LINE OR A LETTER, THEY HAVE NOT HAD A WORD TO CONNECT HIM WITH

One more circumstance which the Senator seems to think was worth arguing to this jury: A letter, or two letters, were supposed to have been written by Harry Orchard in April or May, 1908, to his wife. Those are Orchard's statements. But, in No-vember, after Orchard had been away from Denver since August, months after Orchard had peared from Denver, Mr. Haywood writes a letter to his wife saying that ne had heard that Orchard was up in Alaska.

Could you hang him on that evidence? Suppose that Orchard had been at his elbow and had asked him to write-but he don't-is it evidence of murder? Is it anything whatever? of it? And yet there is not a scrap of evidence in this case that he kney it was a lie. At the most, under any inference in this case, he had written a letter to Orchard's wife because Or chard wanted him to do it. The away from her—that is perfectly plain under his evidence—and he asked somebody to help him do it. Now, what of it? The evidence in this case does not even show that, when Orchard's testimony is stricken out. A man writes to a woman who has made an inquiry about her husbard, and he says, "The last I heard of him he was in Alaska;" and perfectly plain he had not heard of him for three months, and that is presumed to be direct evidence con necting Haywood with the commis-sion of this murder.

NOW, YOUR HONOR, IT SEEMS TO US THAT IT IS PERFECTLY THE BEGINNING TO THE END THERE IS NOTHING OF THIS CASE BUT ORCHARD; THAT IN A CASE WHERE EVERY EYE HAS BEEN OPENED AND EVERY EAR ALERT TO CATCH SOMETHING, TO SEE SOMETHING, THAT AF-TER MONTHS OF ARREST AND IMPRISONMENT AND WAITING FOR TRIAL THEY COME INTO THIS COURT WITH NOTHING BUT ORCHARD, NOT ONE INCRIMIN-ATING CIRCUMSTANCE, NOT ONE FACT THAT COULD RISE TO THE DIGNITY OF EVIDENCE IF IT WAS UNCONNECTED WITH ANYTHING ELSE, AND WHEN THESE SCRAPS AND OBDS AND ENDS WERE IN-TRODUCED INTO THIS COURT, COUNSEL SAYS, WE WILL CON-NECT THEM, WE WILL CONNECT THEM, WE WILL CONNECT THEM; CONNECT THEM WITH WHAT? WITH THE ROTTEN THREAD OF ORCHARD'S TESTI-MONY AND NOTHING ELSE-AND NONE OF THEM WOULD BE COM-PETENT WITHOUT IT.

The statute of the state of Idaho ought to mean something, and it does It means that the legislature of this State has crystalized into a statute that which every lawyer and every judge and every well informed student of history knows is what ought to be. No man's life can be taken from him no man's life can be taken to be. No man's life can be taken from him, no man's liberty can be taken from him upon evidence which comes from such a polluted source as this—an infermer, a traitor, an assassin, an accomplice, and can take away the life or liberty of any man.

SUM TOTAL of STATE'S CASE

Bearing this in mind, and excluding all of Orchard's testimony concerning ...mpkins' and Pettibone's and Haywood's connection with his assassination of Steunenberg, there is nothing in the above quoted letter and draft which do more than arouse a suspicion, even in the absence of any evidence from Pettibone and Haywood. As hundreds of surprised citizens in Boise are saying tonight: "Ifs is all, no jury on earth could be expected to convict Haywood."

But let us go on with the evidence 5. The State proved that Hayword sent a letter to Mrs. Orchard Novem ber 18, 1905, as follows:

"Dear Madam and Sister: I have not heard a word since I saw you. The last information I got was from Alaska. I think Fairfield was the name of the place. I see that awful conditions prevail among the law-andorder element.

"WM. D. HAYWOOD."

They claim Haywood must have known that Orchard was not in Alaska at this time but in Caldwell. Yet this is pure asumption, based on Orchard's own testimony to that effect. Even if Pettibone knew on November 18 where Orchard was, it does not follow that Haywood knew. And even if Haywood and Pettibone both knew where Orchard was and even if they were alding him in escaping from his wife No. 2, this fact proves nothing as to their knowledge of Orchard's murderous mission at Caldwell.

6. The State proved that Haywood sent Steve Adams \$75 by telegraph in June, 1903, when Adams sent for it as he was "in trouble." On its face, and without Orchard's testimony that Adams was just coming back from a murderous trip to 'Frisco, this trans action looks like one friend and Union man helping out another.

7. The State proved that Orchard received a telegram from Spokane two days after his arrest at Caldwell signed "M," and saying Fred Miller would come to defend him. It was addressed to Thos. Hogan, and Or chard testified Miller knew him only as Orchard. On its face, this looks like a lawyer trying to get a case and a fee. Certainly no conceivable proof that Haywood sent him. And even if he did, that fact would not prove he knew Orchard to be guilty. Many a Federation man has been falsely arrested.

8. The State proved Pettibone sent money, about \$150, to Orchard August, 1904, when he was in San Francisco, as he alleges, for the purpose of killing ex-Supt. Bradley. Here it is necessary to prove Pettibone's criminal knowledge of Orchard's operations, and even then Haywood's connection is in no way made out.

9. The State proved that Pettihone wrote a letter of recommenda tion for Orchard, dated April 8, 1905, in reply to John L. Stims' request to know if Thos. Hogan would make a good insurance solicitor for the Mutual Life. The letter reads: "Dear Sir: In reply to your letter of 7th in relation to Thos. Hogan. Yes, I am acquainted with Hogan and I am also getting acquainted with you. If any more of my agents apply to you for positions, you would do me a favor by showing them the nearest to the sidewalk, as I can use all these fellows very bandy myself. Yours truly, G. A. Pettibone.'

It is claimed this letter was written to give Orchard a chance to go to Canyon City to kill Peabody, who had moved away from Denver to Canyon City. But no evidence except Orchard's sustains this claim. The letter of Pettibone's is entirely innocent and in fact recommends Orchard less than other letters from innocent people put in evidence at same time.

The letter shows something else not mentioned by Prosecution, name ly, that Orchard was in Pettibone's employ as "an agent"—which fact may explain all of Petibone's business and social relations with Or-

THERE MUST BE SOME OTHER EVIDENCE SOMETHING WHICH STANDS ALONE, WHICH STAND ING ALONE DIRECTLY CONNECTS THE DEFENDANT WITH THE COM-MISSION OF THE CRIME.

FROM THE BEGINNING TO THE END I INSIST THERE IS NOT A SYLLABLE OF EVIDENCE IN THIS CASE WHICH DOES CONNECT THIS DEFENDANT WITH THIS CRIME EXCEPTING THE STATE-MENT OF ORCHARD, AND THAT FOR THIS REASON THIS CASE SHOULD NOT BE SUBMITTED TO THE JURY.

This case should not be submitted to the judgment which naturally and inevitably must be largely influenced by the passions and feelings and prej-udices of the day, but if ever in any case the court should insist upon the clear letter of the law being obeyed, in order to preserve its principle and its intent and purpose, it should be done in a case as clear as this case is, and your Honor should take this case from the jury at this time.

chard in the most natural and innocent way. Anyhow, Haywood cannot be connected with this recommendation in the most distant way.

Those nine (9) items I have now enumerated are all, absolutely all the State has proved against Haywood to sustain its charge that he murdered ex-Governor Steunenberg. Of these, only one, No. 4, has any possible qirect tendency, INDEPENDENT OF ORCHARD'S TESTIMONY, TO CON-NECT HAYWOOD WITH OR-CHARD, BUT NOT EVEN THIS WITH ORCHARD'S CRIME. There is not a word of proof that Haywood knew the money sent to Simpkins was for Orchard, if it was for him, much less that he knew it was for Orchard the Criminal.

Judge Wood, as a purely legal matter, could have directed the jury to acquit Haywood on the ground that no evidence, independent of Orchard's the accomplice, had connected or tended to connect Haywood with the murder of Steunenberg.

But the State has not spent two weeks to prove those nine simple facts. No, it has proved a great deal corrobative of Orchard's "narrative."

For instance, with great dramatic effect, it brought in Judge Goddard, who, with impressive gestures and eloquent voice, told of digging up the bomb at his gateway. Envelopes and packages sealed up with red sealing wax and signed with a list of autographs, including his own, Jas. Mc-Parland's and Bulkley Wells', were solemnly opened before the jury in breathless silence. These mysterious packages had been kept under seals of State these many months in massive safety vaults, to be opened here in the presence of the court, jury, prisoner, spectators and the whole world, as proof of what? Of the fact that this Arch Criminal had told the truth about his own evil deeds, but not a hair's weight of proof that Wm. D. Haywood had any knowledge of the Goddard bomb-EXCEPT OR-CHARD'S OWN WORD FOR IT-WHICH IS WORTHLESS, BOTH LEGALLY AND RIGHTFULLY.

So with all the rest of the so-called Corroborative Evidence. It was good evidence against Orchard, but of no account whatever against Haywood. Not a whit of evidence has been presented - EnsePT ORCHARD'S STATEMENT WHICH IS WORTH-LESS-that Haywood had anything to do with the Vindicator Explosion or the blowing up of the Independ ence Depot, the Bradley explosion or the killing of Lyte Gregory, or the Goddard and Gabbert and Peabody an Bell attempts.

There remains only one class of evidence to review, that for alleged "CONSPIRACY."

Senator Borah's argument to Judge Wood against Defendant's motion to instruct jury to acquit, was this, namely, that evidence of a general conspiracy including defendant, was in itself evidence corroborating Orchard's testimony. He argued if there is evidence of a Conspiracy to exterminate opponents of the Federation, and this conspiracy includes Haywood, that evidence is confirmatory of Orchard and sufficient to convict.

But did Senator Borah produce his evidence of such general conspiracy? Not at all. I have carefully gone over his speech as published in full All that he al

leges, independent of Orchard's testimony, may be grouped under three

(a) The Bunker Hill Explosion in the Coeur d'Alenes, April 29, 1899, conducted by about one thousand

miners. (b) Other explosions and murders, like Vindicator and Independence,

aimed at enemies of the Federation. (c) Expression of hostility, chiefly in "Miners' Magazine," nearly all of a political nature, but none recommending violence.

The question is, Do these three combined prove the existence of a Conspiracy to Kill on the part of Moyer, Haywood, Pettibone, Simpkins, Orchard, Adams and Minister?

To my mind, they only prove the

possibility of such conspiracy. These various explosions and attacks directed against enemies of the Federation, taken in conjunction with an expressed ill will on the part of officers of the Federation, constitute favorable conditions in which such a conspiracy as is alleged might have existed. It is possible such a conspiracy did exist and is the true explanation of the crimes which occurred during this period of about two years, 1903 to 1905. But proof of possibility is no proof of fact. Conditions which might be explained by a conspiracy do not in themselves constitute proof of conspiracy.

All these conditions of Crime can be explained by one Murder Flend without resort to an unproved conspiracy. At any rate, we must have definite proof of the existence of the alleged Conspiracy, something besides a motive which might have produced conspiracy, and a series of outrages which might have sprung from Conspiracy and one isolated act far back in 1899, admitted to be the sudden offspring of local conditions.

Let us accept Borah's final words and defy the State to make good. He said:

"The question which the court has to consider is whether or not the State is correct in as view of the proposition that there was a general conspiracy and whether or not the evidence in the case tends to show that general conspiracy and that the defendant in this case was a member of that conspiracy."

Generalities will not do. Specific proofs must be had. And they have not yet been presented.

To sum up: There is no proof that Haywood or anyone else was in a conspiracy to murder. There is no proof that Haywood knew anything beforehand of the murder of Steunenberg. That is no proof of either, EX-CEPT ORCHARD. And Occhard is playing for his own life. His evidence must be and will be thrown out of consideration.

The Pinkertons have failed and the state of Idaho is the sufferer. But Labor Wins.

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By C. W. Barzee.

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