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THE CARE OF HARRY'S SPEECH

(Continued from Last Week)
Now this man was in the habit of taking a drink every morning. I don't know how it was with many of you gentlemen. I can testify upon the subject myself. What is the testimony? The testimony is that he took one every morning and he always went over to Glubbly's and Glubbly no doubt generally waited on him and generally had some conversation with him. Now his place was over Harry's place, which is a place where Harry's place was open to catch the early bird or the early worm. It is a matter of no importance whether this man was in the habit of drinking or not. It is a matter of no importance whether he drank or not. It is a matter of no importance whether he drank or not.

And you laid on a flat roof there some time? A. I laid on a flat roof there for four or five feet above the roof on the back part.
Now, not the flat roof of the adjoining house, Oh, no. The flat roof of Bradley's place. Now let us see about this. What is the testimony? The testimony is that the roof was twelve feet above the porch. The testimony is there was a man who was going on a ladder and he didn't climb. You don't catch Harry Orchard shinning up a pipe. He might fall down and hurt a finger. No such chance as that for Harry. If he hurt his finger he couldn't play on a harp in the saloon. He couldn't play on a harp in the saloon. He couldn't play on a harp in the saloon. He couldn't play on a harp in the saloon.

THE PINKS POOLED.
Now, let us see about the back stairs. In the first place, I think that there is some doubt about that whole milk matter. They tried to get him to admit that he might possibly have been mistaken about the milk. Well, that's all right, gentlemen; I don't have to convict him. That is your job. If you can do it on that testimony, well and good.

MR. DARROW: Now let us see exactly what he said because you can make an argument on your side of it. I would rather meet it now than later.
MR. BORAH: He said he tasted the milk.
MR. DARROW: Yes, he tasted it.
MR. BORAH: That is what I had reference to.

MR. DARROW: Here is something else I want to call your attention to. He said he tasted it, it was bitter, and he spat it out. He didn't put it in his mouth. He didn't put it in his mouth. He didn't put it in his mouth. He didn't put it in his mouth. He didn't put it in his mouth.

Now let us see whether Orchard did it. And here I say he went to the flat roof of the adjoining house, gentlemen, oh no; but the flat roof of Bradley's house, and he waited there until the milkman had come and gone, and then he stepped off the flat roof and sprinkled the strychnine into the milk.

Now let us see. First, let me give you the exact words of the wonderful truth-teller, Harry Orchard. Mr. Hawley, with a forgetfulness that does him credit, because there are some things you had better forget if you are going to make a reasonable argument to convict a man--he says he went to the flat roof of the next house. He says it is immaterial anyway. That is the first immaterial thing that Hawley has struck in this case.

A FEW WORDS WITH THE SOCIALISTS

In the hour of the triumph of the working class it is well to remember that much remains to be done.
Those who attempted the judicial assassination and who were caught with the goods on, have been worsted in the skirmish--the real battles are yet to come. Pettibone is to be tried. Moyer is to be tried. In Nevada in prison are two innocent men. In Minnesota the same thing is being attempted and the same forces are behind all.

This is not a battle of the Western Federation of Miners, it is the war against the man in the overall. I do not wish to mince words. There is something on my mind and I am going to spit it out. The working class outside the Western Federation have not done their duty, the Socialist Party has not done its duty, and it is all due to lack of proper organization and weak knees. The working class are not solidified. If the working class had all been organized in as militant a body as the Federation of Miners this game would last quick.

The Socialist Party has been skulking in its tents while others bore the

brunt of the battle. We have been long on sympathy and short on material aid. Sympathy will not buy the baby new shoes, feed the hungry, carry on the war. Five cents of your loose change will BUY MORE JUSTICE than a basket full of your sympathy. The Socialist Party is a party of at least 30,000 dues-paying members. Had every one contributed \$1.00 we could have raised \$30,000. Deduct for those who might be unable to pay, we should have raised \$25,000. Have we done it? No. Will we do it? Yes! And the quicker we start in the better for all concerned.

If we do not do our share we are one of two things: a party of paupers who can not do it, or a party of lobbyists who will not do it! If we do not get into this fight in earnest, then the words as expressed in our platform, "party of the working class," is an idle bluster. Big words on paper are cheap, but it takes money to buy whisky. The world is full of tin heroes and courageous drawing room ornaments, but too few who can be heroes when there is no crowd around to look at what they are doing.

RICHARDSON'S ARGUMENT TO PROVE COUNTER-CONSPIRACY ON PART OF MINE OWNERS

(Continued from Last Week)
Now Senator Borah says we cannot do that because we have no evidence of the overt act of Orchard. That is the reason of it. Now he says you have got to prove that if "A" is charged with the offense of killing "B," and "A" is on trial, that in order to prove that "C" was not connected with the crime, that "C" had a motive, that is not sufficient standing alone, but that you must show that "C" actually did commit the act.

MR. BORAH: Do you claim that Orchard's act is the overt act in killing Gregory?
MR. RICHARDSON: I claim that that is the only overt act that is testified to by anybody with respect to the actual killing of Gregory.
MR. BORAH: Well, then, whose overt act was it?
MR. RICHARDSON: It was Orchard's overt act, and you say through Orchard's mouth that Haywood was connected with that overt act in this, that after it was done he said it was a good job.

MR. BORAH: Now they don't introduce any proof against that, but they say that somebody else did it.
MR. RICHARDSON: Against what?
MR. BORAH: Why, against the crime of the overt act. Mr. Haywood was connected with it, but they say that someone else not connected with Orchard and his outfit committed overt acts, but somebody else did it.

MR. RICHARDSON: Now the Senator's position would be absolutely true if Mr. Orchard were on trial and Mr. Orchard were disclaiming that he had committed the act and was trying to prove that somebody else did it, because Mr. Orchard was the man who has been proven to have committed the act. The fact of the matter is that so far as that individual act is concerned, your Honor will remember that neither Haywood nor Moyer knew anything whatsoever about it, and it is sought to maintain that act upon the part of the State in here by showing that Gregory was some time previous to that a detective in Idaho Springs where some trouble occurred with regard to the blowing up of a transformer house on the Sun and Moon mine.

Now we come, if your Honor please, to the bone of contention so far as this argument is concerned, and that is the blowing up of the Independence depot on the morning of June 6th of 1904. For the purpose of the argument, because we cannot discuss that now, everybody has got to admit that Orchard was the man at least who participated in the blowing up of that depot that he was the one, whether Steve Adams assisted him or not, who was guilty of the overt act. No pretense that Haywood was there, no pretense, if your Honor please, that he had decided the terms or the means upon which it should be done, although Orchard said there was some discussion with respect to it.

Now, what do we show? We show, first, a denial of having any connection with it.
And we show, second, a connection of other people with it both directly and inferentially. I say directly--not that they were there, but that they had absolute knowledge of the existence of that conspiracy.
Now, let us deal with the surrounding circumstances for a minute. Sterling was connected with the Mine Owners' Association. The mine owners were trying to work their mines with non-union labor. The mine owners were opposed to the Western Federation of Miners, a Western Federation of Miners and the mine owners in that district. The Western Federation of Miners were out on a strike. They were picketing the mines. They were trying to induce others, if your Honor please, to refrain from working whom the Mine Owners had imported there. That was the condition and situation. Moyer had been arrested for a violation of a statute of the state of Colorado, which declared that the flag of the United States should not be desecrated by having any advertising matter printed upon it, folded, or in a picture of it should not, but that the flag itself should not be desecrated in that way. He had been taken into an adjoining county and had been held under military rule in that county. He was under military rule at that time. He had been there for a hundred days, more or less--a little less. The Supreme Court had listened to argument upon it. It had announced, according to this record, that its decision would be rendered upon June 6. A peace committee of the Western Federation of Miners in convention assembled had been appointed to go to Cripple Creek and look into the situation, and if there ever was a time and there ever was a set of circumstances that would surround the death knell of the Western Federation of Miners in the Cripple Creek district, that was the situation which surrounded that district on the morning of that day.

THE HAPPENING OF THAT EVEN WAS THE UNWISDEST, THE MOST FOOLISH, THE MOST ABSURD THING THAT ANY MEMBER OF THE WESTERN FEDERATION OF MINERS COULD DO TO BRING ABOUT THE DESTRUCTION OF THAT ORGANIZATION.
IT WAS THE HAPPIEST TO ACCOMPLISH THE WISHES OF THE MINE OWNERS AND RID THEMSELVES OF THOSE WHO WERE OPPOSED TO THEIR MANNER AND METHOD OF RUNNING THE MINES IN THAT NEIGHBORHOOD. IT WAS A MOST FELICITOUS THING FOR THE MINE OWNERS' ASSOCIATION.

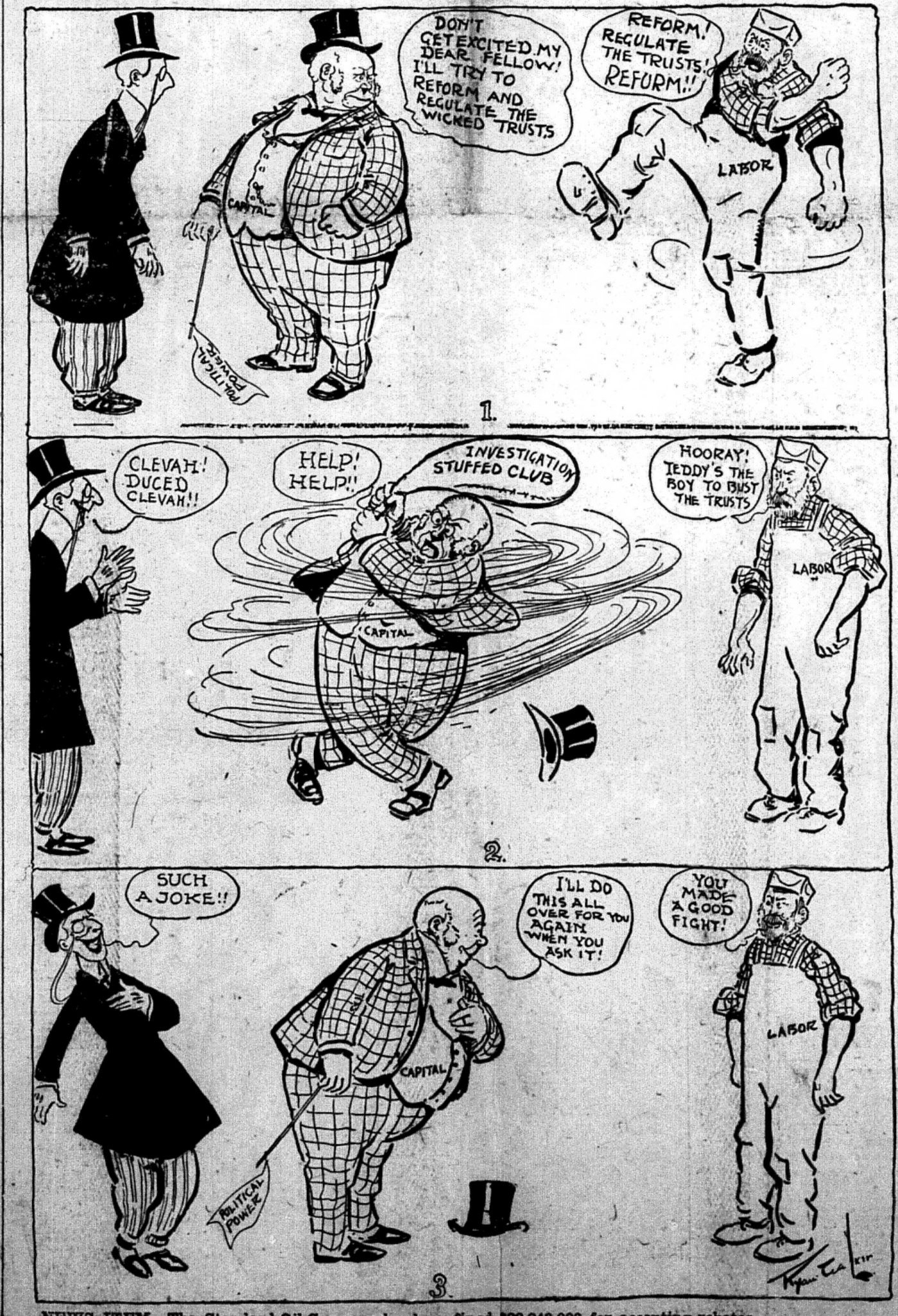
It was a thing that they availed themselves of, and when Senator Borah says, if your Honor please, that the

people rose en masse and expelled and deported these miners on account of these conditions that existed there, I want to say to him that he better look into the Cripple Creek situation. The Western Federation of Miners, those who were connected with it and in the population of that county, it took the Mine Owners, it took the Citizens' Alliance who were dependent upon the mine owners, and it took the Colorado state militia, hired out to them and paid by them virtually, according to the testimony of one of the witnesses who was upon the stand here, one of the miners, a member of THE THING WHICH WAS ONLY BENEFICIAL TO THE MINE OWNERS AND WHICH WAS DESTRUCTIVE TO THE MINERS.

These are the circumstances, taken in consideration with this testimony, that K. C. Sterling was the first man to fire the first shot on the afternoon of the 6th day of June of 1904, representing the Mine Owners' Association, working in conjunction with the Citizens' Alliance, in conjunction with the State Militia, to accomplish a thing which was suicidal to the Western Federation of Miners and which rebounded to the benefit of the Mine Owners' Association of that district.
Can't those things be shown where there is any connection at all established between the Mine Owners' Association or anyone purporting to act for it and this man Orchard?

If your Honor please, it seems to me to strike out that evidence is to say this, the state is entitled to take the uncorroborated statement of Mr. Orchard alone upon that matter and all of the circumstances which they see fit to introduce as establishing Haywood's connection with it and that Haywood cannot show the balance of those circumstances for the purpose of showing whether anybody else was connected with the transaction or not.
Now what is said, if your Honor please, with respect to that is true of the Telluride situation. They show in their evidence a condition existing in the Telluride district which they say calls for the troops in that district. We show, if your Honor please, that practically the only lawless act or the great lawlessness in that district at that time was lawlessness which was brought about by the officers of the law, the Mine Owners' Association and those who called themselves the Citizens' Alliance in the city of Telluride.
If those things are to be eliminated from this case, then we say that everything should be eliminated from the case, if your Honor please, with the exception of the Stuenkel incident itself. Now if you do that, of course, the State recognizes at once that it has no case. If they are entitled to any part of that situation we are entitled to all of it. If they introduce any piece of a conversation, we are entitled to the rest of the conversation. If they say through the mouth of Orchard that we were connected with him, who was the door of the case, then we say that everything connected with him, that there are facts and circumstances from which the jury have the right to draw that inference.
Now, if your Honor please, Senator Borah says that that may be done if that is connected with the evidence introduced in support of the statement of Harry Orchard that he was working for the Western Federation of Miners?
Where is there a single particle of evidence, except Orchard's that the Western Federation of Miners were connected with the spy-palling case? With the Independence depot explosion? With the Moyer incarceration in Telluride or the conditions which brought it about?
With any of those things which they have charged, with the Goddard matter, with the Peabody matter, with the Sherman Bell matter in the city of Denver, or a single particle of evidence connected with those offenses, if they were offenses against the law, except the naked and bald statement of Mr. Orchard himself?
Now, if your Honor please, of course, I am willing to concede that the Goddard incident, if it can go to the jury at all; the Peabody incident, if it can go to the jury at all; was not the result of a conspiracy of the Mine Owners' Association as specifically charged by Harry Orchard. Why? Because the circumstances appear that those men were all favorable to the Mine Owners' Association.
But, if your Honor please, if there were attempts made upon those men which were not carried out, those are things which reason why the Western Federation of Miners was responsible when they had no connection at all. They could be used to inflame public sentiment. They could be spread broadcast over the country. There is anything should assume in regard to it, and I say, if your Honor please, that there is no more to connect Mr. Haywood with these transactions than there is to connect your Honor with those transactions if you had been living in the city of Denver at the time of the accident, and I suppose it would have to go to the jury upon that theory, in this, that the Bradley incident varies slightly from the others in that there is some connection of Mr. Pettibone.

A FAIRY STORY FROM REAL LIFE
By Ryan Walker



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