

## Just Before the Battle

**Family Reunion in Ada County Jail  
—Everything Ready for Trial  
—“Statesman” Gets Rabid**

Boise, Idaho, April 30, 1907.  
One week from next Thursday is the date set for the trial of William D. Haywood. All sides state that they are ready for the great battle. The work that the defense has done throughout Ada county in safeguarding the interests of their clients is a marvel in painstaking and thoroughness. The county has been thoroughly polled, and, as Mr. Richardson says, the conditions are certainly nothing like those in Canyon county. C. A. Johnson of Seattle and M. Barber of Caldwell, the men who had charge of the Canyon county work, have had the work here, and they have had a most able corps of assistants in learning what the sentiment is generally concerning the coming trials.

A report has been circulated that the attorneys for the defense would move for a change of venue from Ada county on account of prejudice. But Mr. Richardson has stated that no such move is contemplated whatever unless, when it comes to the actual forming of the jury it is seen that an unusual prejudice exists.

The fact of the matter is that a close observer may detect a vast amount of sympathy for our men especially among the working men; and many business men not in on the Gooding ring have expressed utter condemnation of the state house ring's actions, not only in getting the men here, but in holding them so long without trial, and also the character of the Orchard evidence. It is currently reported that Debs will not be here at the trial at all, not only from Chicago resources of information, but from word that has leaked out from the defense attorneys. The objection seems to be that he is too much of an agitator. Stories are told of how during the great Chicago strike when he had everything in his hands, he gave an incendiary speech that aroused the passions of the populace exactly the way in which the capitalists wanted them aroused, precipitated riots, and led to a disastrous termination. And in the situation of strain that exists in Boise at present, at least the claim is made that the presence of Debs would not be calculated to be conducive to a desirable equilibrium.

There is no doubt that a very slight pretext would serve as an excuse for placing the city under martial law. All military plans are in readiness so that it could be done at a moment's notice. The “Statesman” writes about Debs being “headed off,” as though some great strategic point had been attained.

### Witnesses Subpoenaed.

During the last few days preparations for the coming trial have been going forward in earnest. Many of the witnesses for the state and for the defense have already been subpoenaed. It is learned that already about 15 witnesses for the state have been served in Canyon county. From Colorado a dozen or more witnesses for the state will be called and it is said that most of the witnesses for the defense will be called from that state. Most of the witnesses from Canyon county for the state will be those who testified at the preliminary examination of Harry Orchard.

One of the important witnesses from that county will be former Sheriff Jasper Nichols. Other witnesses will be Andy Johnson, Gene Johnson, two local detectives who worked on the case early in the beginning of investigations. Chris Thiele, assistant superintendent of the northwest division of the Pinkerton agency, who is now in Boise, will be another witness. It is expected that the two most important witnesses will be James McPartland, chief of the Pinkertons, and Harry Orchard.

### For Handling News.

Something of the importance of the trials as viewed throughout the country can be gained from the fact that indications are that there will be close to if not quite 50 writers present to report to their various papers magazines and news services the daily proceedings. These will be assisted

in giving the big story to the public throughout the country by many special men, artists, photographers, etc. Many of these writers and news men have already applied and secured quarters for the time they will be in Boise. Besides these there will be quite an army of stenographers and typewriter experts. The attorneys for the state and for the defense have planned to have enough stenographers on the ground so that within a short time after the end of each day's proceedings in court they will be furnished with a verbatim copy of the testimony taken.

To handle the vast amount of special matter to be sent to thousands of papers throughout the country the local office of the Western Union Telegraph company is being fitted up with instruments and paraphernalia calculated to accommodate all the business that may be brought into it with quickness and dispatch. The company has leased four wires from Boise to Nampa of the two telephone companies. These wires will be connected with the local telegraph office and two of them will be available all the time, while the other two will be released for telegraph work each night. At Nampa the direct wires of the company will be quaded each way. This will be in addition to the direct wire now used as duplex to Salt Lake which will be equipped for quad service during the trials. This, Manager Hackett states, will give the local office a service of 10 more circuits than now or 14 circuits altogether. The service will be ready by the middle of this week and as soon as ready for work Chief Operator McDonnell of Seattle will come and thoroughly test the system to see that everything is in perfect working order.

The best operators, dispatchers, to be found in the west, are to be sent to Boise for this special work.

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### Wives of the Prisoners.

Mrs. Haywood arrived in Boise Sunday night. She was accompanied by her two daughters, Verna, aged 16, and Henrietta, aged 10, also by a trained nurse. She stood the trip remarkably well. She is a helpless invalid that cannot use her hands or feet, and has to be cared for like a baby, and wheeled everywhere. Aside from her helplessness, she seems fairly strong and well, and talks most entertainingly and hopefully.

Monday morning we went over to see how she had stood the trip. We found her in the best of spirits, and the whole family just getting ready to go over to the jail. They had not seen the husband and father for fourteen months. Verna, the older girl, is a tall fine-looking young person, that much resembles her father. She is in high school, has considerable skill as a musician, and possesses great vivacity and force of character. She shrinks a little from the publicity in which the family have been placed through the capitalistic fire that has been turned upon her father.

Henrietta, the younger, has one of those wonderful peach-blow complexions that so often go with deep auburn tresses. She is a child of great sweetness of nature, and very attractive.

Comrade Easterly, one of the Cripple Creek deportees, and Comrade Shoaf wheeled the invalid's chair out to the pavement; and then in warm, sunshiny glory of the spring morning we all walked over to the jail, where the three martyrs of labor and liberty are held as life hostages for the subservience and submission of the working class. Haywood was outside in the green court yard, taking the fresh air. The meeting of the long disunited fam-

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## Opening Skirmish

**Defense Demands Bill of Particulars  
—Don't Know Exact Charges—  
Prosecution Mysterious**

Boise, Idaho, May 6.  
In Judge Wood's court this morning, in the case of the state vs. Haywood Mr. Richardson, attorney for the defense, presented an application for a bill of particulars.

Haywood was in court with attorneys Darrow and Richardson for the defense and Borah, Hawley and Stone for the prosecution. All the reporters in town on the trial were present. They seemed to enjoy the curbed shelf fixed outside the railing for their accommodation. Mr. Richardson stated in his preliminary remarks that the indictment was on a charge of murder directly and contained three counts and that he would proceed to read the indictment.

Its specifications as given before were that on the 30th of December 1905 Moyer, Haywood and Pettibone were charged with assault upon Frank Steunenberg by a bomb resulting in murder. The particulars are explosives employed were specified. The four persons were named in the indictment, Moyer, Haywood, Pettibone and Simpkins but not Orchard. Mr. Richardson then went on to say that while the indictment was made out in three sections there was one general charge of murder. He said the defendant was not in the place where the murder was committed at the time and that he wished information as to what overt act he was accused of by which he was connected with the crime. He must be charged with being accessory before the fact or with being a conspirator.

Six reasons are given for demanding the bill of particulars, one being that the state might be limited in its proof. Idaho has no statute on a bill of particulars. This is a matter which addresses itself to the sound discretion of the court. The indictment is too general.

Mr. Richardson quoted from a wide range of authorities to sustain his position. It was proper to apply for a bill of particulars at any time after the filing of the complaint and before the trial. Here Mr. Darrow interrupted to speak to Mr. Richardson, whereupon the latter states to the court that Haywood had just suggested that they had been refused a hearing on any point so long as habeas corpus action was pending. Mr. Richardson asked why the defense had been kept in darkness regarding the intentions of the prosecution. There was no need of all this secrecy and suppression of the plan of action. They wished to have definite information to proceed upon.

Here follows a little tilt between Borah and Mr. Richardson over the newspapers being the only sources of information in regard to the plans of the attorneys. Borah accused Richardson with giving his plans to the “Statesman.” Mr. Richardson denied the insinuation. Borah said Richardson had changed his plans and Mr. Richardson said he did not think any one would connect him with the “Statesman.”

In Borah's reply in the request for particulars he said it was not in the province of a bill of particulars to

call for the evidence to be presented in a case, but merely for a specification of the charges. He says what the defense was after was the evidence of the prosecution. It was perfectly proper to charge the conspirators as principals in the crime even if they were not present when it was committed. The defense understood what the charges were sufficiently to make the plea of not guilty. There was a specific charge of murder on a certain date. The proper time to apply for a bill of particulars was before the pleading.

Borah conducted himself in an ugly and insulting way towards the counsel for the defense when they asked questions. He made the best plea heard from the prosecution so far. In impassioned tones he demands if there was any rule of practice by which the prosecution could be called upon to present its evidence beforehand. The defense was calling for proof and not for a bill of particulars. Mr. Darrow rose, in answer he said there was not much as to fact to argue, but as to law, the request was addressed solely to the discretion of the court.

If the defense was accused of wanting evidence that was what they wanted. They had been kept wholly in the dark as to what was against them. They should have had a preliminary hearing with defendants present. This had been denied them. They don't know the witnesses that are to be brought or what they will have to meet. All is shrouded in mystery. Defendants on trial for their life might be accused of not being fair, not the state. Judge Wood here wants to know if he was to understand that the defendants were not ready for trial without the bill of particulars. Mr. Darrow answered, “No, they were not and could not get ready. They were as ready as they could be without a specification of the charges against them.”

Mr. Richardson here said that what was wanted was the particular overt act connecting Haywood with the crime as conspirator. Mr. Darrow said they had heard that forty subpoenas for witnesses had been issued by the prosecution, all in blank. No information could be obtained as to who these witnesses were. They will travel far away from Idaho and bring them to the trial. In reply Mr. Borah states that extreme secrecy in regard to the names of the prosecution was necessary in order to get the witnesses at the trial.

Two that were to come from Colorado could not be gotten. One refused to come at all, and the other has disappeared. They had to work in secret or they could never get any witnesses at all. Darrow said it was a well known fact that the prosecution had no power to subpoena witnesses in Colorado to come to Idaho.

The court here took an adjournment till three o'clock when Judge Wood announced that he would give his ruling Wednesday at 10 A. M.

Word has been received that Debs will not be here for a month yet. Ernest Unterman will be on the ground to report for Wilshires. Dr. Titus will be here to report for “The Socialist.”

### A New State.

Originally, the American Republic consisted of 13 states. These 13 have now increased to 45, and during the coming summer one more will be added to the list. The new state will be that of Oklahoma, a region which once formed part of the Indian Territory, was thrown open to the whites some years ago, and is now, from a territory to be elevated to the rank of state, with representatives in congress. The proposed constitution of Oklahoma includes the initiative and referendum, makes a provision for separate schools for the children of whites and negroes, and in civil cases, as well as in criminal cases less than felony, allows verdicts to be determined by three-fourths of the jury. The sale of alcoholic liquor is limited to the state dispensers. Provision is also made for the state engaging in any business or occupation for public purposes.

### Australia's Movement.

Australia's socialist movement is gaining ground very rapidly. Several weeks ago it was stated that the Labor party in Australia had elected 25 members to the Lower House of Parliament. The number is 26, however, the laborites having won a seat from the government party. In the Senate the Labor party will control 15 seats instead of 14, against 23 for the combined opposition. The Labor party polled 387,000 votes, the anti-Socialists 586,000, the Ministerialists 138,000. As stated, the Labor party was fought upon the issue of socialism throughout the campaign. The Laborites carried Western Australia over both the old parties and stood second in all other states but Victoria. It is generally recognized by old party politicians that about one more election will find the Labor party in the lead.

## Haywood's Neighbors

**Signed Statement from Nevada Shows  
Haywood to Be an Honest and  
Industrious Citizen**

Boise, May 4.  
The attorneys for the prosecution have issued a statement that they are not employing agents to canvass Ada county, with a view to getting the opinions of the community upon the Moyer-Haywood case. They assert that prominent men of Boise have been approached for opinions by persons stating that they were acting at the request of James H. Hamley and William E. Borah, and that they are not hiring men to approach any citizens to get their opinions regarding the cases, and the “Statesman” severely arraigns the defense for such canvassing work.

It has been ascertained, however, that Frank Powell, W. H. Taylor, C. H. Arbuckle, Dr. Reynolds, J. M. Jackson, a Mr. Jordan and dozens of others are engaged in that work for the benefit of the prosecution. Even Jack Watkins, candidate for sheriff of Canyon county on the republican ticket last fall, was in Union precinct Tuesday in the interest of the prosecution.

This little incident in itself shows the extreme and dishonest measures that are being taken by the capitalist press to prejudice the public mind against the defense.

The “Capital News” prints a statement that Thiele of the detective force says at a given signal that he could fill the streets of Boise with 200 armed men. The town is full of detectives. The gun men of Colorado are all getting in here, probably in anticipation that many Federation men will be here at the trial and they want the spies on hand who know their faces. One ward alone has 36 detectives watching at day and night.

Haywood's old neighbors from Winnemucca, Nevada, have issued a statement testifying to his excellent reputation, and their confidence in him. The district judge, district attorney, county officials and other men of high standing in the community have signed their names to the testimonial.

### The statement follows:

“To whomsoever may be the reading hereof: Dear Sirs—Referring to the case of William D. Haywood, an officer of the Miners' Union of the state of Colorado, and against whom some person or persons have caused criminal charges to be made in the state of Idaho, we, citizens and residents of Humboldt county, state of Nevada, beg to say: William D. Haywood came to our county when he was a mere boy, resided here many years in different localities, and became well acquainted and well known to many of us and to many other citizens and old residents of this part of the state of Nevada; he worked in the mines, and at various other kinds of labor while a resident here, always carefully abstained from each and every kind and character of disreputable callings and occupations; was always an honest, industrious, sober and reliable citizen, an excellent, kind and faithful husband and father; was above the average in intelligence and exhibited a most laudable ambition for the improvement of his mind, and became pre-eminently conspicuous as a strictly law-abiding and law-obeying man and member of our community; at no time did he associate with or sympathize with the criminal class, and during his long residence in the state, by an unbroken line of unimpeached and unimpeachable conduct as an honest, honorable and industrious young man he built up for himself, with those who knew him best, a most enviable reputation as a most useful and especially law-abiding citizen and man, and commanded the merited respect of every intelligent and honest man with whom he was acquainted; and it is a pleasure to us to be able to bear testimony to the good name of so good and commendable a citizen as William D. Haywood.

Yours very truly,

S. J. BONNEFIELD, JR.,  
District Judge;  
EDWA. A. DUCKEN,  
District Attorney;  
J. W. GUTHRIE,  
County Assessor;

GEO. O. HILL,  
Clerk of District Court;  
W. L. WILKINSON,  
County Recorder;  
F. G. HOENSTINE,  
County Treasurer;  
S. G. LAMB,  
Sheriff;  
R. E. WINDLE,  
G. M. ROSE,  
C. E. ROBINS,  
Attorney-at-Law and U.  
S. Commissioner;  
J. F. DUNN,  
Notary Public;  
C. W. MULLER,  
Deputy Sheriff;  
WM. S. BONNEFIELD,  
Attorney at Law;  
J. A. LANGWITH,  
Attorney at Law.

The jury which will be chosen to sit in the trial of William D. Haywood will be made comfortable during the time they are on duty. They will keep house. The law provides that such jurymen shall be kept together and in seclusion from public contact, therefore, rather than take any chances with the publicity of a hotel, Sheriff Shad Hodgins, who will be responsible for the custody of the jurors has rented the Henry Konrad house at the corner of Sixth and Jefferson streets, directly back of the court house. The house is within a few hundred feet of the rear entrance to the court house and is surrounded by a neat lawn and garden.

In this house the jurors will live during the time of the trial that they are not on duty in the court room. They will be supplied with all the conveniences of any home. Their housework will be performed by servants during their absence in court and a good cook will be employed to prepare their meals.

To make the daily journeys of the jury as direct as possible the sheriff has caused to be constructed a temporary stairway from the rear of the second story of the court house. Its upper landing is the platform of the old fire escape and is reached through the anteroom of Judge Wood's private chambers. The jurymen can be taken directly from the court room without going outside of the railed inclosure.

Four bailiffs, two for day service and two for night service, will guard the jury. The house will be carefully and constantly watched. Entry to the open lawn will be prohibited. One of the day bailiffs will remain at the house while the jury is in court and the night bailiffs will do no sleeping during their watch.

The Associated Press has made every preparation to handle the news of the trial extensively. Its leading manager from New York and Chicago is here with an army of assistants. The chief European newspaper service has made arrangements to handle the American reports. Thus an accurate detailed report of the trial will be sent over the world by the capitalist press. There will just be one feature left out, and that will be telling the points made by the defense, the exposure of the diabolical conspiracies of the mine owners and the atmosphere and evidence of a hounded working class bravely trying to protect itself against the machinations of demons seeking life.

The true history of this tragedy of labor can only be told accurately by a socialist press prepared to handle the situation. This we have not got in America as yet. But still we shall be able to do something. Besides myself for the News and the Herald, there are here now George H. Shoaf for the Appeal. He also sends 500 words a day to the Chicago Socialist. Mills also wired him for a report for his projected Tribune. Wade Roscoe Parke is also here for the Daily and Weekly People. Numbers of others have been reported as prospective arrivals, but these are all that are on the ground at present.

The Haywood family has become settled in permanent quarters at 1119 Twelfth street. They have a nicely furnished seven-room house with all

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## Haywood's Neighbors

**Signed Statement from Nevada Shows  
Haywood to Be an Honest and  
Industrious Citizen**

Boise, May 4.  
The attorneys for the prosecution have issued a statement that they are not employing agents to canvass Ada county, with a view to getting the opinions of the community upon the Moyer-Haywood case. They assert that prominent men of Boise have been approached for opinions by persons stating that they were acting at the request of James H. Hamley and William E. Borah, and that they are not hiring men to approach any citizens to get their opinions regarding the cases, and the “Statesman” severely arraigns the defense for such canvassing work.

It has been ascertained, however, that Frank Powell, W. H. Taylor, C. H. Arbuckle, Dr. Reynolds, J. M. Jackson, a Mr. Jordan and dozens of others are engaged in that work for the benefit of the prosecution. Even Jack Watkins, candidate for sheriff of Canyon county on the republican ticket last fall, was in Union precinct Tuesday in the interest of the prosecution.

This little incident in itself shows the extreme and dishonest measures that are being taken by the capitalist press to prejudice the public mind against the defense.

The “Capital News” prints a statement that Thiele of the detective force says at a given signal that he could fill the streets of Boise with 200 armed men. The town is full of detectives. The gun men of Colorado are all getting in here, probably in anticipation that many Federation men will be here at the trial and they want the spies on hand who know their faces. One ward alone has 36 detectives watching at day and night.

Haywood's old neighbors from Winnemucca, Nevada, have issued a statement testifying to his excellent reputation, and their confidence in him. The district judge, district attorney, county officials and other men of high standing in the community have signed their names to the testimonial.

### The statement follows:

“To whomsoever may be the reading hereof: Dear Sirs—Referring to the case of William D. Haywood, an officer of the Miners' Union of the state of Colorado, and against whom some person or persons have caused criminal charges to be made in the state of Idaho, we, citizens and residents of Humboldt county, state of Nevada, beg to say: William D. Haywood came to our county when he was a mere boy, resided here many years in different localities, and became well acquainted and well known to many of us and to many other citizens and old residents of this part of the state of Nevada; he worked in the mines, and at various other kinds of labor while a resident here, always carefully abstained from each and every kind and character of disreputable callings and occupation; was always an honest, industrious, sober and reliable citizen, an excellent, kind and faithful husband and father; was above the average in intelligence and exhibited a most laudable ambition for the improvement of his mind, and became pre-eminently conspicuous as a strictly law-abiding and law-obeying man and member of our community; at no time did he associate with or sympathize with the criminal class, and during his long residence in the state, by an unbroken line of unimpeached and unimpeachable conduct as an honest, honorable and industrious young man he built up for himself, with those who knew him best, a most enviable reputation as a most useful and especially law-abiding citizen and man, and commanded the merited respect of every intelligent and honest man with whom he was acquainted; and it is a pleasure to us to be able to bear testimony to the good name of so good and commendable a citizen as William D. Haywood.

Yours very truly,

S. J. BONNEFIELD, JR.,  
District Judge;  
EDWA. A. DUCKEN,  
District Attorney;  
J. W. GUTHRIE,  
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The jury which will be chosen to sit in the trial of William D. Haywood will be made comfortable during the time they are on duty. They will keep house. The law provides that such jurymen shall be kept together and in seclusion from public contact, therefore, rather than take any chances with the publicity of a hotel, Sheriff Shad Hodgins, who will be responsible for the custody of the jurors has rented the Henry Konrad house at the corner of Sixth and Jefferson streets, directly back of the court house. The house is within a few hundred feet of the rear entrance to the court house and is surrounded by a neat lawn and garden.

In this house the jurors will live during the time of the trial that they are not on duty in the court room. They will be supplied with all the conveniences of any home. Their housework will be performed by servants during their absence in court and a good cook will be employed to prepare their meals.

To make the daily journeys of the jury as direct as possible the sheriff has caused to be constructed a temporary stairway from the rear of the second story of the court house. Its upper landing is the platform of the old fire escape and is reached through the anteroom of Judge Wood's private chambers. The jurymen can be taken directly from the court room without going outside of the railed inclosure.

Four bailiffs, two for day service and two for night service, will guard the jury. The house will be carefully and constantly watched. Entry to the open lawn will be prohibited. One of the day bailiffs will remain at the house while the jury is in court and the night bailiffs will do no sleeping during their watch.

The Associated Press has made every preparation to handle the news of the trial extensively. Its leading manager from New York and Chicago is here with an army of assistants. The chief European newspaper service has made arrangements to handle the American reports. Thus an accurate detailed report of the trial will be sent over the world by the capitalist press. There will just be one feature left out, and that will be telling the points made by the defense, the exposure of the diabolical conspiracies of the mine owners and the atmosphere and evidence of a hounded working class bravely trying to protect itself against the machinations of demons seeking life.

The true history of this tragedy of labor can only be told accurately by a socialist press prepared to handle the situation. This we have not got in America as yet. But still we shall be able to do something. Besides myself for the News and the Herald, there are here now George H. Shoaf for the Appeal. He also sends 500 words a day to the Chicago Socialist. Mills also wired him for a report for his projected Tribune. Wade Roscoe Parke is also here for the Daily and Weekly People. Numbers of others have been reported as prospective arrivals, but these are all that are on the ground at present.

The Haywood family has become settled in permanent quarters at 1119 Twelfth street. They have a nicely furnished seven-room house with all

(Continued on Page 3.)

## Just Before the Battle

### Family Reunion in Ada County Jail —Everything Ready for Trial —“Statesman” Gets Rabid

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One week from next Thursday is the date set for the trial of William D. Haywood. All sides state that they are ready for the great battle. The work that the defense has done throughout Ada county in safeguarding the interests of their clients is a marvel in painstaking and thoroughness. The county has been thoroughly polled, and, as Mr. Richardson says, the conditions are certainly nothing like those in Canyon county. C. A. Johnson of Seattle and M. Barber of Caldwell, the men who had charge of the Canyon county work, have had the work here, and they have had a most able corps of assistants in learning what the sentiment is generally concerning the coming trials.

A report has been circulated that the attorneys for the defense would move for a change of venue from Ada county on account of prejudice. But Mr. Richardson has stated that no such move is contemplated whatever unless, when it comes to the actual forming of the jury it is seen that an unusual prejudice exists.

The fact of the matter is that a close observer may detect a vast amount of sympathy for our men especially among the working men; and many business men not in on the Gooding ring have expressed utter condemnation of the state house ring's actions, not only in getting the men here, but in holding them so long without trial, and also the character of the Orchard evidence. It is currently reported that Debs will not be here at the trial at all, not only from Chicago resources of information, but from word that has leaked out from the defense attorneys. The objection seems to be that he is too much of an agitator. Stories are told of how during the great Chicago strike when he had everything in his hands, he gave an incendiary speech that aroused the passions of the populace exactly the way in which the capitalists wanted them aroused, precipitated riots, and led to a disastrous termination. And in the situation of strain that exists in Boise at present, at least the claim is made that the presence of Debs would not be calculated to be conducive to a desirable equilibrium.

There is no doubt that a very slight pretext would serve as an excuse for placing the city under martial law. All military plans are in readiness so that it could be done at a moment's notice. The "Statesman" writes about Debs being "headed off," as though some great strategic point had been attained.

#### Witnesses Subpoenaed.

During the last few days preparations for the coming trial have been going forward in earnest. Many of the witnesses for the state and for the defense have already been subpoenaed. It is learned that already about 15 witnesses for the state have been served in Canyon county. From Colorado a dozen or more witnesses for the state will be called and it is said that most of the witnesses for the defense will be called from that state. Most of the witnesses from Canyon county for the state will be those who testified at the preliminary examination of Harry Orchard.

One of the important witnesses from that county will be former Sheriff Jasper Nichols. Other witnesses will be Andy Johnson, Gene Johnson, two local detectives who worked on the case early in the beginning of investigations. Chris Thiele, assistant superintendent of the northwest division of the Pinkerton agency, who is now in Boise, will be another witness. It is expected that the two most important witnesses will be James McPartland, chief of the Pinkertons, and Harry Orchard.

#### For Handling News.

Something of the importance of the trials as viewed throughout the country can be gained from the fact that indications are that there will be close to if not quite 50 writers present to report to their various papers magazines and news services the daily proceedings. These will be assisted

in giving the big story to the public throughout the country by many special men, artists, photographers, etc. Many of these writers and news men have already applied and secured quarters for the time they will be in Boise. Besides these there will be quite an army of stenographers and typewriter experts. The attorneys for the state and for the defense have planned to have enough stenographers on the ground so that within a short time after the end of each day's proceedings in court they will be furnished with a verbatim copy of the testimony taken.

To handle the vast amount of special matter to be sent to thousands of papers throughout the country the local office of the Western Union Telegraph company is being fitted up with instruments and paraphernalia calculated to accommodate all the business that may be brought into it with quickness and dispatch. The company has leased four wires from Boise to Nampa of the two telephone companies. These wires will be connected with the local telegraph office and two of them will be available all the time, while the other two will be released for telegraph work each night. At Nampa the direct wires of the company will be quaded each way. This will be in addition to the direct wire now used as duplex to Salt Lake which will be equipped for quad service during the trials. This, Manager Hackett states, will give the local office a service of 10 more circuits than now or 14 circuits altogether. The service will be ready by the middle of this week and as soon as ready for work Chief Operator McDonnell of Seattle will come and thoroughly test the system to see that everything is in perfect working order.

The best operators, dispatchers, to be found in the west, are to be sent to Boise for this special work.

#### Gooding's Organ Rabid.

The "Statesman" continues to publish its inflammatory articles every day. Its latest spasm has been a shriek at the "campaign of the reds." It refers in lurid terms to the "red flag of anarchy," the "desperateness of the policy of the reds," denounces the socialist organs, and says that socialism is an enemy to unionism.

#### Wives of the Prisoners.

Mrs. Haywood arrived in Boise Sunday night. She was accompanied by her two daughters, Verna, aged 16, and Henrietta, aged 10, also by a trained nurse. She stood the trip remarkably well. She is a helpless invalid that cannot use her hands or feet, and has to be cared for like a baby, and wheeled everywhere. Aside from her helplessness, she seems fairly strong and well, and talks most entertainingly and hopefully.

Monday morning we went over to see how she had stood the trip. We found her in the best of spirits, and the whole family just getting ready to go over to the jail. They had not seen the husband and father for fourteen months. Verna, the older girl, is a tall fine-looking young person, that much resembles her father. She is in high school, has considerable skill as a musician, and possesses great vivacity and force of character. She shrinks a little from the publicity in which the family have been placed through the capitalistic fire that has been turned upon her father.

Henrietta, the younger, has one of those wonderful peach-blow complexions that so often go with deep auburn tresses. She is a child of great sweetness of nature, and very attractive.

Comrade Easterly, one of the Cripple Creek deportees, and Comrade Shoaf wheeled the invalid's chair out to the pavement; and then in warm, sunshiny glory of the spring morning we all walked over to the jail, where the three martyrs of labor and liberty are held as life hostages for the subservience and submission of the working class. Haywood was outside in the green court yard, taking the fresh air. The meeting of the long disunited fam-

(Continued on Page 4.)

## Opening Skirmish

### Defense Demands Bill of Particulars —Don't Know Exact Charges— Prosecution Mysterious

Boise, Idaho, May 6.

In Judge Wood's court this morning, in the case of the state vs. Haywood Mr. Richardson, attorney for the defense, presented an application for a bill of particulars.

Haywood was in court with attorneys Darrow and Richardson for the defense and Borah, Hawley and Stone for the prosecution. All the reporters in town on the trial were present. They seemed to enjoy the curbed shelf fixed outside the railing for their accommodation. Mr. Richardson stated in his preliminary remarks that the indictment was on a charge of murder directly and contained three counts and that he would proceed to read the indictment.

Its specifications as given before were that on the 30th of December 1905 Moyer, Haywood and Pettibone were charged with assault upon Frank Steunenberg by a bomb resulting in murder. The particulars are explosives employed were specified. The four persons were named in the indictment, Moyer, Haywood, Pettibone and Simpkins but not Orchard. Mr. Richardson then went on to say that while the indictment was made out in three sections there was one general charge of murder. He said the defendant was not in the place where the murder was committed at the time and that he wished information as to what overt act he was accused of by which he was connected with the crime. He must be charged with being accessory before the fact or with being a conspirator.

Six reasons are given for demanding the bill of particulars, one being that the state might be limited in its proof. Idaho has no statute on a bill of particulars. This is a matter which addresses itself to the sound discretion of the court. The indictment is too general.

Mr. Richardson quoted from a wide range of authorities to sustain his position. It was proper to apply for a bill of particulars at any time after the filing of the complaint and before the trial. Here Mr. Darrow interrupted to speak to Mr. Richardson, whereupon the latter states to the court that Haywood had just suggested that they had been refused a hearing on any point so long as habeas corpus action was pending. Mr. Richardson asked why the defense had been kept in darkness regarding the intentions of the prosecution. There was no need of all this secrecy and suppression of the plan of action. They wished to have definite information to proceed upon.

Here follows a little tilt between Borah and Mr. Richardson over the newspapers being the only sources of information in regard to the plans of the attorneys. Borah accused Richardson with giving his plans to the "Statesman," Mr. Richardson denied the insinuation. Borah said Richardson had changed his plans and Mr. Richardson said he did not think any one would connect him with the "Statesman."

In Borah's reply in the request for particulars he said it was not in the province of a bill of particulars to

call for the evidence to be presented in a case, but merely for a specification of the charges. He says what the defense was after was the evidence of the prosecution. It was perfectly proper to charge the conspirators as principals in the crime even if they were not present when it was committed. The defense understood what the charges were sufficiently to make the plea of not guilty. There was a specific charge of murder on a certain date. The proper time to apply for a bill of particulars was before the pleading.

Borah conducted himself in an ugly and insulting way towards the counsel for the defense when they asked questions. He made the best plea heard from the prosecution so far. In impassioned tones he demands if there was any rule of practice by which the prosecution could be called upon to present its evidence beforehand. The defense was calling for proof and not for a bill of particulars. Mr. Darrow rose, in answer he said there was not much as to fact to argue, but as to law, the request was addressed solely to the discretion of the court.

If the defense was accused of wanting evidence that was what they wanted. They had been kept wholly in the dark as to what was against them. They should have had a preliminary hearing with defendants present. This had been denied them. They don't know the witnesses that are to be brought or what they will have to meet. All is shrouded in mystery. Defendants on trial for their life might be accused of not being fair, not the state. Judge Wood here wants to know if he was to understand that the defendants were not ready for trial without the bill of particulars. Mr. Darrow answered, "No, they were not and could not get ready. They were as ready as they could be without a specification of the charges against them."

Mr. Richardson here said that what was wanted was the particular overt act connecting Haywood with the crime as conspirator. Mr. Darrow said they had heard that forty subpoenas for witnesses had been issued by the prosecution, all in blank. No information could be obtained as to who these witnesses were. They will travel far away from Idaho and bring them to the trial. In reply Mr. Borah states that extreme secrecy in regard to the names of the prosecution was necessary in order to get the witnesses at the trial.

Two that were to come from Colorado could not be gotten. One refused to come at all, and the other has disappeared. They had to work in secret or they could never get any witnesses at all. Darrow said it was a well known fact that the prosecution had no power to subpoena witnesses in Colorado to come to Idaho.

The court here took an adjournment till three o'clock when Judge Wood announced that he would give his ruling Wednesday at 10 A. M.

Word has been received that Debs will not be here for a month yet. Ernest Unterman will be on the ground to report for Wilshires. Dr. Titus will be here to report for "The Socialist."

#### A New State.

Originally, the American Republic consisted of 13 states. These 13 have now increased to 45, and during the coming summer one more will be added to the list. The new state will be that of Oklahoma, a region which once formed part of the Indian Territory, was thrown open to the whites some years ago, and is now, from a territory to be elevated to the rank of state, with representatives in congress. The proposed constitution of Oklahoma includes the initiative and referendum, makes a provision for separate schools for the children of whites and negroes, and in civil cases, as well as in criminal cases less than felony, allows verdicts to be determined by three-fourths of the jury. The sale of alcoholic liquor is limited to the state dispensers. Provision is also made for the state engaging in any business or occupation for public purposes.

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Something of the importance of the trials as viewed throughout the country can be gained from the fact that indications are that there will be close to if not quite 50 writers present to report to their various papers magazines and news services the daily proceedings. These will be assisted

in giving the big story to the public throughout the country by many special men, artists, photographers, etc. Many of these writers and news men have already applied and secured quarters for the time they will be in Boise. Besides these there will be quite an army of stenographers and typewriter experts. The attorneys for the state and for the defense have planned to have enough stenographers on the ground so that within a short time after the end of each day's proceedings in court they will be furnished with a verbatim copy of the testimony taken.

To handle the vast amount of special matter to be sent to thousands of papers throughout the country the local office of the Western Union Telegraph company is being fitted up with instruments and paraphernalia calculated to accommodate all the business that may be brought into it with quickness and dispatch. The company has leased four wires from Boise to Nampa of the two telephone companies. These wires will be connected with the local telegraph office and two of them will be available all the time, while the other two will be released for telegraph work each night. At Nampa the direct wires of the company will be quaded each way. This will be in addition to the direct wire now used as duplex to Salt Lake which will be equipped for quad service during the trials. This, Manager Hackett states, will give the local office a service of 10 more circuits than now or 14 circuits altogether. The service will be ready by the middle of this week and as soon as ready for work Chief Operator McDonnell of Seattle will come and thoroughly test the system to see that everything is in perfect working order.

The best operators, dispatchers, to be found in the west, are to be sent to Boise for this special work.

#### Gooding's Organ Rabid.

The “Statesman” continues to publish its inflammatory articles every day. Its latest spasm has been a shriek at the “campaign of the reds.” It refers in lurid terms to the “red flag of anarchy,” the “desperateness of the policy of the reds,” denounces the socialist organs, and says that socialism is an enemy to unionism.

#### Wives of the Prisoners.

Mrs. Haywood arrived in Boise Sunday night. She was accompanied by her two daughters, Verna, aged 16, and Henrietta, aged 10, also by a trained nurse. She stood the trip remarkably well. She is a helpless invalid that cannot use her hands or feet, and has to be cared for like a baby, and wheeled everywhere. Aside from her helplessness, she seems fairly strong and well, and talks most entertainingly and hopefully.

Monday morning we went over to see how she had stood the trip. We found her in the best of spirits, and the whole family just getting ready to go over to the jail. They had not seen the husband and father for fourteen months. Verna, the older girl, is a tall fine-looking young person, that much resembles her father. She is in high school, has considerable skill as a musician, and possesses great vivacity and force of character. She shrinks a little from the publicity in which the family have been placed through the capitalistic fire that has been turned upon her father.

Henrietta, the younger, has one of those wonderful peach-blow complexions that so often go with deep auburn tresses. She is a child of great sweetness of nature, and very attractive.

Comrade Easterly, one of the Cripple Creek deportees, and Comrade Shoaf wheeled the invalid's chair out to the pavement; and then in warm, sunshiny glory of the spring morning we all walked over to the jail, where the three martyrs of labor and liberty are held as life hostages for the subservience and submission of the working class. Haywood was outside in the green court yard, taking the fresh air. The meeting of the long disunited fam-

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## Opening Skirmish

### Defense Demands Bill of Particulars —Don't Know Exact Charges— Prosecution Mysterious

Boise, Idaho, May 6.  
In Judge Wood's court this morning, in the case of the state vs. Haywood Mr. Richardson, attorney for the defense, presented an application for a bill of particulars.

Haywood was in court with attorneys Darrow and Richardson for the defense and Borah, Hawley and Stone for the prosecution. All the reporters in town on the trial were present. They seemed to enjoy the curbed shelf fixed outside the railing for their accommodation. Mr. Richardson stated in his preliminary remarks that the indictment was on a charge of murder directly and contained three counts and that he would proceed to read the indictment.

Its specifications as given before were that on the 30th of December 1905 Moyer, Haywood and Pettibone were charged with assault upon Frank Steunenberg by a bomb resulting in murder. The particulars are explosives employed were specified. The four persons were named in the indictment, Moyer, Haywood, Pettibone and Simpkins but not Orchard. Mr. Richardson then went on to say that while the indictment was made out in three sections there was one general charge of murder. He said the defendant was not in the place where the murder was committed at the time and that he wished information as to what overt act he was accused of by which he was connected with the crime. He must be charged with being accessory before the fact or with being a conspirator.

Six reasons are given for demanding the bill of particulars, one being that the state might be limited in its proof. Idaho has no statute on a bill of particulars. This is a matter which addresses itself to the sound discretion of the court. The indictment is too general.

Mr. Richardson quoted from a wide range of authorities to sustain his position. It was proper to apply for a bill of particulars at any time after the filing of the complaint and before the trial. Here Mr. Darrow interrupted to speak to Mr. Richardson, whereupon the latter states to the court that Haywood had just suggested that they had been refused a hearing on any point so long as habeas corpus action was pending. Mr. Richardson asked why the defense had been kept in darkness regarding the intentions of the prosecution. There was no need of all this secrecy and suppression of the plan of action. They wished to have definite information to proceed upon.

Here follows a little tilt between Borah and Mr. Richardson over the newspapers being the only sources of information in regard to the plans of the attorneys. Borah accused Richardson with giving his plans to the “Statesman.” Mr. Richardson denied the insinuation. Borah said Richardson had changed his plans and Mr. Richardson said he did not think any one would connect him with the “Statesman.”

In Borah's reply in the request for particulars he said it was not in the province of a bill of particulars to

call for the evidence to be presented in a case, but merely for a specification of the charges. He says what the defense was after was the evidence of the prosecution. It was perfectly proper to charge the conspirators as principals in the crime even if they were not present when it was committed. The defense understood what the charges were sufficiently to make the plea of not guilty. There was a specific charge of murder on a certain date. The proper time to apply for a bill of particulars was before the pleading.

Borah conducted himself in an ugly and insulting way towards the counsel for the defense when they asked questions. He made the best plea heard from the prosecution so far. In impassioned tones he demands if there was any rule of practice by which the prosecution could be called upon to present its evidence beforehand. The defense was calling for proof and not for a bill of particulars. Mr. Darrow rose, in answer he said there was not much as to fact to argue, but as to law, the request was addressed solely to the discretion of the court.

If the defense was accused of wanting evidence that was what they wanted. They had been kept wholly in the dark as to what was against them. They should have had a preliminary hearing with defendants present. This had been denied them. They don't know the witnesses that are to be brought or what they will have to meet. All is shrouded in mystery. Defendants on trial for their life might be accused of not being fair, not the state. Judge Wood here wants to know if he was to understand that the defendants were not ready for trial without the bill of particulars. Mr. Darrow answered, “No, they were not and could not get ready. They were as ready as they could be without a specification of the charges against them.”

Mr. Richardson here said that what was wanted was the particular overt act connecting Haywood with the crime as conspirator. Mr. Darrow said they had heard that forty subpoenas for witnesses had been issued by the prosecution, all in blank. No information could be obtained as to who these witnesses were. They will travel far away from Idaho and bring them to the trial. In reply Mr. Borah states that extreme secrecy in regard to the names of the prosecution was necessary in order to get the witnesses at the trial.

Two that were to come from Colorado could not be gotten. One refused to come at all, and the other has disappeared. They had to work in secret or they could never get any witnesses at all. Darrow said it was a well known fact that the prosecution had no power to subpoena witnesses in Colorado to come to Idaho.

The court here took an adjournment till three o'clock when Judge Wood announced that he would give his ruling Wednesday at 10 A. M.

Word has been received that Debs will not be here for a month yet. Ernest Unterman will be on the ground to report for Wilshires. Dr. Titus will be here to report for “The Socialist.”

#### A New State.

Originally, the American Republic consisted of 13 states. These 13 have now increased to 45, and during the coming summer one more will be added to the list. The new state will be that of Oklahoma, a region which once formed part of the Indian Territory, was thrown open to the whites some years ago, and is now, from a territory to be elevated to the rank of state, with representatives in congress. The proposed constitution of Oklahoma includes the initiative and referendum, makes a provision for separate schools for the children of whites and negroes, and in civil cases, as well as in criminal cases less than felony, allows verdicts to be determined by three-fourths of the jury. The sale of alcoholic liquor is limited to the state dispensers. Provision is also made for the state engaging in any business or occupation for public purposes.

#### Australia's Movement.

Australia's socialist movement is gaining ground very rapidly. Several weeks ago it was stated that the Labor party in Australia had elected 25 members to the Lower House of Parliament. The number is 26, however, the laborites having won a seat from the government party. In the Senate the Labor party will control 15 seats instead of 14, against 23 for the combined opposition. The Labor party polled 387,000 votes, the anti-Socialists 586,000, the Ministerialists 138,000. As stated, the Labor party was fought upon the issue of socialism throughout the campaign. The Laborites carried Western Australia over both the old parties and stood second in all other states but Victoria. It is generally recognized by old party politicians that about one more election will find the Labor party in the lead.

## Haywood's Neighbors

### Signed Statement from Nevada Shows Haywood to Be an Honest and Industrious Citizen

Boise, May 4.  
The attorneys for the prosecution have issued a statement that they are not employing agents to canvass Ada county, with a view to getting the opinions of the community upon the Moyer-Haywood case. They assert that prominent men of Boise have been approached for opinions by persons stating that they were acting at the request of James H. Hamley and William E. Borah, and that they are not hiring men to approach any citizens to get their opinions regarding the cases, and the “Statesman” severely arraigns the defense for such canvassing work.

It has been ascertained, however, that Frank Powell, W. H. Taylor, C. H. Arbuckle, Dr. Reynolds, J. M. Jackson, a Mr. Jordan and dozens of others are engaged in that work for the benefit of the prosecution. Even Jack Watkins, candidate for sheriff of Canyon county on the republican ticket last fall, was in Union precinct Tuesday in the interest of the prosecution.

This little incident in itself shows the extreme and dishonest measures that are being taken by the capitalist press to prejudice the public mind against the defense.

The “Capital News” prints a statement that Thiele of the detective force says at a given signal that he could fill the streets of Boise with 200 armed men. The town is full of detectives. The gun men of Colorado are all getting in here, probably in anticipation that many Federation men will be here at the trial and they want the spies on hand who know their faces. One ward alone has 36 detectives watching at day and night.

Haywood's old neighbors from Winnemucca, Nevada, have issued a statement testifying to his excellent reputation, and their confidence in him. The district judge, district attorney, county officials and other men of high standing in the community have signed their names to the testimonial.

#### The statement follows:

“To whomsoever may be the reading hereof: Dear Sirs—Referring to the case of William D. Haywood, an officer of the Miners' Union of the state of Colorado, and against whom some person or persons have caused criminal charges to be made in the state of Idaho, we, citizens and residents of Humboldt county, state of Nevada, beg to say: William D. Haywood came to our county when he was a mere boy, resided here many years in different localities, and became well acquainted and well known to many of us and to many other citizens and old residents of this part of the state of Nevada; he worked in the mines, and at various other kinds of labor while a resident here, always carefully abstained from each and every kind and character of disreputable callings and occupations; was always an honest, industrious, sober and reliable citizen, an excellent, kind and faithful husband and father; was above the average in intelligence and exhibited a most laudable ambition for the improvement of his mind, and became pre-eminently conspicuous as a strictly law-abiding and law-obeying man and member of our community; at no time did he associate with or sympathize with the criminal class, and during his long residence in the state, by an unbroken line of unimpeached and unimpeachable conduct as an honest, honorable and industrious young man he built up for himself, with those who knew him best, a most enviable reputation as a most useful and especially law-abiding citizen and man, and commanded the merited respect of every intelligent and honest man with whom he was acquainted; and it is a pleasure to us to be able to bear testimony to the good name of so good and commendable a citizen as William D. Haywood.

Yours very truly,

S. J. BONNEFIELD, JR.,  
District Judge;  
EDWA. A. DUCKEN,  
District Attorney;  
J. W. GUTHRIE,  
County Assessor;

GEO. O. HILL,  
Clerk of District Court;  
W. L. WILKINSON,  
County Recorder;  
F. G. HOENSTINE,  
County Treasurer;  
S. G. LAMB,  
Sheriff;  
R. E. WINDLE,  
G. M. ROSE,  
C. E. ROBINS,  
Attorney-at-Law and U.  
S. Commissioner;  
J. F. DUNN,  
Notary Public;  
C. W. MULLER,  
Deputy Sheriff;  
WM. S. BONNEFIELD,  
Attorney at Law;  
J. A. LANGWITH,  
Attorney at Law.

The jury which will be chosen to sit in the trial of William D. Haywood will be made comfortable during the time they are on duty. They will keep house. The law provides that such jurymen shall be kept together and in seclusion from public contact, therefore, rather than take any chances with the publicity of a hotel, Sheriff Shad Hodgins, who will be responsible for the custody of the jurors has rented the Henry Konrad house at the corner of Sixth and Jefferson streets, directly back of the court house. The house is within a few hundred feet of the rear entrance to the court house and is surrounded by a neat lawn and garden.

In this house the jurors will live during the time of the trial that they are not on duty in the court room. They will be supplied with all the conveniences of any home. Their housework will be performed by servants during their absence in court and a good cook will be employed to prepare their meals.

To make the daily journeys of the jury as direct as possible the sheriff has caused to be constructed a temporary stairway from the rear of the second story of the court house. Its upper landing is the platform of the old fire escape and is reached through the anteroom of Judge Wood's private chambers. The jurymen can be taken directly from the court room without going outside of the railed inclosure.

Four bailiffs, two for day service and two for night service, will guard the jury. The house will be carefully and constantly watched. Entry to the open lawn will be prohibited. One of the day bailiffs will remain at the house while the jury is in court and the night bailiffs will do no sleeping during their watch.

The Associated Press has made every preparation to handle the news of the trial extensively. Its leading manager from New York and Chicago is here with an army of assistants. The chief European newspaper service has made arrangements to handle the American reports. Thus an accurate detailed report of the trial will be sent over the world by the capitalist press. There will just be one feature left out, and that will be telling the points made by the defense, the exposure of the diabolical conspiracies of the mine owners and the atmosphere and evidence of a hounded working class bravely trying to protect itself against the machinations of demons seeking life.

The true history of this tragedy of labor can only be told accurately by a socialist press prepared to handle the situation. This we have not got in America as yet. But still we shall be able to do something. Besides myself for the News and the Herald, there are here now George H. Shoaf for the Appeal. He also sends 500 words a day to the Chicago Socialist. Mills also wired him for a report for his projected Tribune. Wade Roscoe Parke is also here for the Daily and Weekly People. Numbers of others have been reported as prospective arrivals, but these are all that are on the ground at present.

The Haywood family has become settled in permanent quarters at 1119 Twelfth street. They have a nicely furnished seven-room house with all

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