

ly were in the seats near the prisoner when the case against William D. Hay-wood was resumed at 9:30 this morning in the Ada county district court. During the intermission since the adjournment on Saturday a large number of witnesses have arrived in Boise. The courtroom was only about

As a remedy, the Toledo agents pro ose "the changing of the classification minimum on carloads to the visible apacity of the car."

Kaiser to Contribute Several Prizes to The New York agents will bring up a general discussion of the new rate law.

New York, June 18 .- Advices from

anapolis.

HISTORIAN'S OFFICE,

Berlin to the Herald state that Emper-or William is to contribute several prizes to athletes from America who

Louis, Chicago, Milwaukee and Indi-

MRS. ANNIE BESANT

Elected President of Theosophical So

ciety to Succeed Late Col. Olcott.

BURNED HERSELF TO DEATH.

on fire. He was cremated,

Copenhagen, June 18 .--- A land owne named Christophersen, said to be a re-ligious fanatic and desiring to die as the reference, John Huss, had, satur-ated himself with oil and set himself

WORLD'S WINE MARKET.

Athletes From America.

the eastern retrenchment, laboring men are coming west in larger numbers looking for employment, and the mills have received a larger number of such men since the union walked out.

DEATH AT PROVO.

Spinal Meningitis Claims Nine-Year-

and no stronger. Continuing, Senator Carter said that he had asked one delegate to serve on a committee and he had refused, saying he had cattle on a public forest

At this point three letters were marked for identification under a run-ning fire of protest from the defense. Judge Wood, however, overruled all of

objectio LETTERS IN EVIDENCE.

Two letters written by Orchard and

half filled, however, at the time court opened.

DEPUTY SHERIFF NICHOLS.

J. T. Nichols, who was deputy sheriff of Canyon county and in charge of the jail at Caldwell at the time of Or-chard's arrest after the murder of former Gov. Steunenberg, was a witness. Orchard, in his statement on the stand, said that while in the jail at Caldwell he received a letter from Petitione. The original of the letter was de-The original of the letter was de-stroyed by Orchard, but Nichols made a copy of it before giving it to Orchard. The copy of the letter was produced and identified by Nichols. A section of the original envelope was also pro-duced and identified. The letter was not read. The witness said that it was not readed. not signed.

Nichols testified that Fred Miller, a lawyer of Spokane, had called upon Orchard shortly after he was placed in the Caldwell jail. Miller is now one of the attorneys for the defense of Hay-wood. Nichols said that Orchard had not sent a telegram summoning Miller but that he had received a telegram signed "M." A copy of the telegram was produced and identified by the wit-ness. Nichols was proceeding to tell of a conversation with Miller when the defense raised objection after objection and after argument the testimony was admitted. Nichols said that Miller had told him that money sent to Orchard should be turned over to Miller as his

attorney. Nichols was allowed to go without any cross-examination and Harry Or-

The notorious prisoner witness en-tered the courtroom through the door leading to the judge's room. His appearance created none of the interest that marked his first entry into court. He came in with his customary brisk step and was preceded and followed by deputies and "gun men."

ORCHARD ON STAND.

E. F. Richardson at once commenced the cross-examination. It became evi-fient that the defense proposed to bring a number of witnesses to prove that Orchard had for years nursed a venge-ful spite against Steunenberg and had repeatedly made threats against him. "Do you know Max Malleh of Den-

ver?" and "Yes, sir."

'Did you in June or July of 1905 say to Max Malleh, you and he being alone, that you were going to kill Steunen-berg, even if you had to swing for

'No, sir, I never had any such con-

versation." Senator Borah asked if he couldn't place the time closer than June or

July, 1965. "No man can fix the exact day of such an occurrence," said Mr. Richsuch an occurrence," said Mr. Rich-ardson somewhat hotiy. "We will have Max Malich here, and

he may fix it for you, but it is likely that he can give you the of the conversation. day

"Did you say that Steunenberg was a mean — — — — — , and that had it not been for Steunenberg you would have been a millionaire, because you had owned a sixteenth share of the Hercules mine and that Steunen-berg had driven you out of the state?" "No, sir, I never said any such thing." thing."

ORCHARD VERY POSITIVE.

Orchard was very positive in his re-plies and showed no hesitation. Mr. Richardson asked him if he knew Lottie Day of Denver, and meeting her sent to Mrs. Orchard through Paddy Multiney to Cripple Creek were offered in evidence, Orchard said he wrote just before leaving for the letters

Idaho to kill Steunenberg. Counsel for the defense and Hay-wood were in consultation over the letter for 10 minutes. An objection was made to both letters because they were private correspondence between Orchard and his wife and had no bearing on the case against Haywood. Judge Wood during the pause sold that he would allow the photog-raphers a last opportunity to disturb the proceedings and a situation that was becoming somewhat tense owing to the very apparent earnestness of both sides over the documentary evi-dence, the state to get it in and the deforme to becomit out, are related defense to keep it out—was relieved. Mr. Hawley complaining that the photographs thus far had shown only the back of his head.

Judge Wood carefully read the let ters offered in evidence and after some minutes' consideration he' admitted

them. Another letter was then introduced It was a letter from Orchard to his wife mailed in Nome. Orchard said he wrote the letter is Petibone's store in Denver, leaving the date blank and In Denver, leaving the date black and gave it to Marion Moore, a member of the executive board of the Western Federation of Miners who was going to Nome. It was agreed that the date should be filled in when Moore got to Nome. Orchard said he was rever in Alaska or Nome.

HAYWOOD TO MRS. ORCHARD.

When the prosecution offered the next document a decided stir showed that the interst of the courtroom was aroused. Two letters were handed to counsel for the defense. These were from Haywood to Mrs. Orchard is Cripple Creek and in one of them Haywood addressing Mrs. Orchard as "Dear Madam and Sister," tells her that Orchard has gone to Alaska Orchard said he had received a let-

Orchard said he had received a let-ter from his wife while he was in Den-ver. If was handed to him, he said, by Haywood.

Haywood. Senator Borah read one of the letters from Orchard to Mrs. Orchard and purporting to come from San Francis-co. In the letter Orchard told her in replying to hand the letter to Paddy Mulliney, who would take it "to head-quarters" and it would be forwarded. All the letters were read to the jury. The last was the Haywood letter, wrlt-ten on the letter head of he Western Federation of Miners, Senator Borah read the entire heading and the letter. Haywood's letter to Mrs. Orchard read practically as follows: "Dear Sister and Madam: I have not

"Dear Sister and Madam: I have not had any information for some time. The last I had I think was from Alaska -Fairfield-I think was the address. I see that terrible conditions exits among the law and order element at Cripple Creek-W. D. Haywood."

The letter was dated from Denver, in November, 1905.

At this point Judge Wood asked Mr. Hawley how long he would take to conclude his re-direct. Mr. Hawley said about an hour. A recess was ordered to 1:30 p. m.

AMERICAN MECHANICS.

Boston, June 18 .- The thirty-ninth annual convention of the Junior Or-der of American Mechanics opened here today and was called to order by National Counciller Gilchreast.

range, and if he voted against the interests of the forestry bureau, his cat-ile would be driven from the reserva-tion. Several delegates called out that that was true and Mr. Carter sold

that that was true and Mr. Carter said he wanted to puncture that bubble at this point. If any forest ranger should attempt to interfere with any citizen on account of his use of free speech, he declared, Mr. Pinchot would dis-miss him. Mr. Pinchot, who was upon the platform, endorsed the statement of the senator by nodding. Partisan politics must be barred from the convention, the chairman contin-ued. He closed by saying that what-ever course might be adopted to be right by this convention, will become a new law if necessary, and action would be taken if action is demand-ed.



Will Go to Boise and Testify for De fense in Haywood Trial.

fense in Haywood Trai. Denver, June 18.—According to a News special, E. L. McParland of Man-itou agency, who developed the case of conspiracy to murder former Gov. Steu-nenberg against officials of the Western Federation of Miners, will go to Boisa to testify for the defense in the Hay-wood case. During the strike riots in Cripple Creek, McParland, who is a shoemaker, was deported from the dis-trict along with the train load of union miners and sympathizers who were tak-en over the line into Kansas. A tele-gram was received from Clarence Dar-row summoning McParland to Boise at once and he arranged to leave at once,

once and he arranged to leave at once,

FRENCH AGITATORS.

Government Sustained in Its Determination to Prosecute Them.

mination to Prosecute Them. Paris, June 18.—The action of the gov-erament in determining to prosecute the alternation of the south of France led to a lively debate in the chamber of deputies today, but after a turnultaous session the cabinet secured an indirect vote of confi-dence by the large majority of 23. The immediate discussion of an interpella-tion on the subject of the government's plans and demanded that the motion be postponed ustil June 22. In a speech which was frequently interrupted by noisy protests, he declared that all means of conciliation were now exhausted and that as thef of the government. If the plane of the government he was bound or enforce respect for the law. The com-place of the central government of be interpellation he would immediately thamber defeated the postponetiest of the materpellation he would immediately thamber defeated the postponether of the and the prosecutions and the mather would be responsible for the trave consequences. The government's motion was finally dopted amid wild excitement, by 412 to to votes.

158 votes.

MINERS' FEDERATION.

military and declaring that it fails to show that any soldier took part in the affray. The statement, which the senator makes as a "plain duty to the truth as well as to the accused soldiers" and because he is "more fa-miliar with the testimeny than any-body else." is an answer to a publish-ed statement that the testimony con-clusively showed the soldiers of the clusively showed the soldiers of the Twenty-fifth battalion did the shoot

Washington, June 18 .--- Senator

Foraker of Ohio gave out a written

statement summing up the testimony taken by the senate committee on military affairs in the Brownsville in-

Mr. Foraker says: Mr. Foraker says: "The testimony given by the sol-diers in their own behalf is not, in my opinion, shaken by the testimony given by the clizens of Brownsville. No important item of new evidence No important liem of new evidence has been brought forward against the soldiers in this examination. Ninety per cent of what the citizens have testified to has relations to mat-ters over which there was no con-troversy. For instance, everybody concedes that the town was shot up, that somebody did it, that those peo-ple who did it passed through the streets and alleys where the shooting was done, and they had guns or re-volvers or firearms of some sort, and that one than was killed and another wounded. The only dispute is as to whether the raiders were identified as soldiers of the garrison. "There are two kinds of evidence re-led upon to show the soldiers did it. One consists of shells and bullets that were secured from the streets and houses of Brownsville. The results of microscopic inspection, interpreted in

were secured from the streets and houses of Brownsville. The results of microscopic inspection, interpreted in the light of the other testimony in the case, completely disposed of this part of the case. The only other testimony is that of people who claim to have been eye-willnesses to the shooting. This consists of various people declar-ing that when they heard the firing they looked out of their windows and houses and down dark alleys, where there were no lights, at distances vary-ing all the way from 30 feet up to 150 feet, and recognized the men who were doing the firing as soldlers wearing the uniforms of United States soldlers. The officers of the battalion have testified generally and specifically as to the darkness of the night. According to this testimony, in the language of Maj. Penrose, the night was so dark that he could not distinguish one of his officers, who were all whilte men, from one of the enlisted men, who were all colored at a distance tell anything about how a man was dressed. "All these officers have testified that the claims of the citizens who testified that they saw the raiders and recog-nized them as soldiers at this distance, are utterly impossible. At one time, when the case was only partially in-

nized them as soldiers at this distance, are uiterly impossible. At one time, when the case was only partially in-vestigated, they were of the opinion, and trankly stated it, that their men were guilty, but the fact only strength-ens their testimony as they now give it, that the testimony of the clivens of the city claiming to identify the soldiers, is utterly unreliable unworthy and unbe-lievable.

MINERS' FEDERATION. Denver, June 18.—The morning sees-sion of the convention of the Western Pederation of Miners was taken up in hearing resolutions. Among those in-troduced was one for a general 34-seesment of \$2 on each member of the organization for the defense rund for Moyer, Haywood and Petilbone. An-other resolution introduced amends the ritual providing that there shall be nothing in the obligations which shall be contrary to any member's duty to his "God, his country and his fellow men."

LOSS OF MINNESOTA'S LAUNCH Crew of the Tug Crisfield to be Exam-

ined as to Responsibility for It.

Norfolk, Va., June 18.—The entire crews of the New York, Philadelphia and Norfolk ug Crisfield was ordered to zypear before Supervising Steam-boat Inspector Oaset today for an ex-amination to determine whether that hoat or its tow is responsible for the recent wrecking of the Minnesota's hunch ord drawning of the Minnesota's aunch and drowning of the 11 men of

was announced that the he It was announced that the hearing would be rigid and open to the public. The government officers are said to be confident that the tugs steel tow haw-ser struck the launch, stove in its side and upset if in the roads and upset if in the roads.

STUDYING AMERICAN LAW.

Kansas City, June 17.--Mrs. Annio Besant of Adyar, India, the noted writ-er and lecturer on matters occult, has been elected world president of the Theosophical society to succeed the late Col. Henry Steel Olcott, formerly of New York, according to a private ca-blearam received in this city today Washington, June 18 .-- After spend-ng several days in Washington, ining several days in Washington, in-vestigating the American judicial sys-tem with the view of the introducing the jury system of this country in Japan. M. Takagi, a prominent Tokio lawyer, has gone to New York and to-day will sail for London. While in Washington M. Takagi con-ferred with Chief Justice Fuller of the supreme court of the United States, and Atty. Gen. Bonaparte. blegram received in this city today from London.

Atty, Gen. Bonaparte,

FIVE MEN KILLED BY POWDER EXPLOSION.

Williamsport, Pa., June 18 .- Five men

were killed in an explosion of the Gela tine department of the Sinnemahoning China is About to Enter it for the Powder Manufacturing company today First Time.

THE DEAD.

Billmire Summers. Edward Cole. J. B. Nelsou.

J. B. Feloli, Harry Cole, Samuel Shadman, Only fragments of the bodies were found. As all the men in the building were killed it is impossible to ascar-tain the cause of the explosion. Two men at work nearby were injured.

WHARVES AT KOBE

WHARVES AT KOBE. Victoria, B. C., June 18.—Advices from Japan say that work has been comenced at Kobe to construct four great wharves, each 1,200 feet long and 260 feet wide with a space of 420 feet between each. The average depth of water will be 36 feet. Mineteen iarge steamers will be able to barth at one time. The wharves will be provided with one great 50-ton and one 30-ton stationary derrick and 50 or more portable eranes with capacity to five tons. The estimated cost is \$8,500,000. His Appointment by Board of Super-

VENEZUELA IS NOW "REBELLION PROOF."

New York. June 18.—Herbert E. Kates, a New York business man who has just returned from Venezuela, has made public the gist of an interview he had recently with President Castro of had recently with President Castro of Venezuela, regarding the development of Venezuela, President Castro rold Mr. Kates that Venezuela is now "re-bellion proof," that an era of peace has come and that the next few years will witness the development of the natural resources of Venezuela.

"I was with him an hour," Mr. Kates

special prizes to athletes America who will compete the next German turnfest fron the next German turnfest a Frankfort. Two hundred entrie from America have already beer received and it is expected that thou sands of visitors from the U States will make the occasion a he coming festival. Touring clubs, J stated, have been formed in New Y Baltimore, Clevaland, Cinelmati, the United

lork

Old Son of Bishop Poulton. (Special to the "News.")

Provo, June 18 .--- Waldo, the 9-year-old son of Bishop Ralph Poulton of the Sixth ward, died last night from spinal meningitis, following a fall from a horse two weeks ago. The boy was severely injured about the head in the fail, and has grown steadily worse un passed away at the home of his parents.

The funeral services will be Friday at 2 p. m. from the Sixth ward meetinghouse.

BANK ASSESSMENTS.

Hearing on the Protest Before Board Of Equalization Today.

The hearing of the protest of the anks against the assessment of their capital stock at its full value instead of at 75 per cent as heretofore, was not completed yesterday afternoon and is on again this afternoon before the county board of equalization. Rep-resentatives of the various banks were resentatives of the various of the various of the argent to the matter and spent the time in fiscussion. They contended that if the assessment on the banks is to be raised this year the board should also raise the assessment on the mer-chants of the city. They also argued that the government bonds held by them are exempt from taxation and contended that the amount of the bonds should be deducted from the

contender that the amount of the bonds should be deducted from the valuation, at any rate. Asst. County Atty. Lyon contended that the government gives the banks the privilege is not given to private individuals, hence there is no reason why the bonds should not be taxed. He admitted that government bonds in the hands of a private party could not be taxed, but argued that it is dif-ferent with the bank for the reason stated. The bankers present yester-day afternoon were Frank Knox. H. P. Clark, M. H. Walker, F. E. Mo-Gurrin, and Hyrum Young, Judge C. S. Zane appeared for the Salt Lake Security and Trust company and Judge Le Grand Young appeared for the Descret National bank.

COAL STORAGE RATE.

Misunderstanding Regarding it Exists Between Railroads.

visors Only a Temporary One.

San Francisco, June 18.--James L Gallagher's appointment yesterday as acting mayor by the board of super-visors is only a temporary one. He will serve only until the supreme court has decided whether or not it will admit Mayor Schmitz to ball pending the hearing of his petition for a new trial. Should Schmitz be scanted freedow on ball Colmand a new trial. Should Schmitz be granted freedom on bail Gallaghr will, of caurae, go out of office at once, for the mayor will no longer be incapaci-

ACTING MAYOR GALLAGHER.

the mayor will no longer be incapaci-tated from performing the duties of chief executive of the city. Gallagher's removal will likely come, it is said, this week, either through the admission of Schmitz to ball by the supreme court or through removal by the prosecution. When the new acting mayor is in-sialed a wholesale cleaning out of the Schmitz municipal commissions

Schmitz municipal commissions will follow

There is a temporary misunderstanding between the coal department of the Union Pactic and the freight department of the Short Line as to the reported reduction of 25 cents on coal for suramer storage; in that the freight department was-notified from Chicago while the coal department had received no advices. General Freight Agent Reeves has wired Chicago for definite informa-tion, so that the matter will be straightened out this afternoon. Local coal dealers claim that the demand for coal is now so heavily increased that the present supply barely suf-fices to fill the demand. They also say that one year ago, the Union Pa-cific had 37,000 tons stored, whereas it has now acre at all. The out-look for the coming where is not con-sidered any too reassuring. as to the reported reduction of 25

sidered any too reassuring.

London, June 18.—China is about to enter the world's sine market for the first time, according to a publication just issued by the foreign office. The cultivation of grapes has been going on experimentally for 10 years on the shores of the Gulf of Chi Li and has been satisfactory. The cellars belong-ing to the vineyards are now stored with thousands of casks of wine and it is the expectation to market this pro-duct beginning in the autumn of 1908. A British official who visited the vineyards reports that the wines are

ards reports that the wines are