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DESERT EVENING NEWS.

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10 PAGES—LAST EDITION

THURSDAY MAY 9 1907 SALT LAKE CITY UTAH

FIFTY-SIXTH YEAR

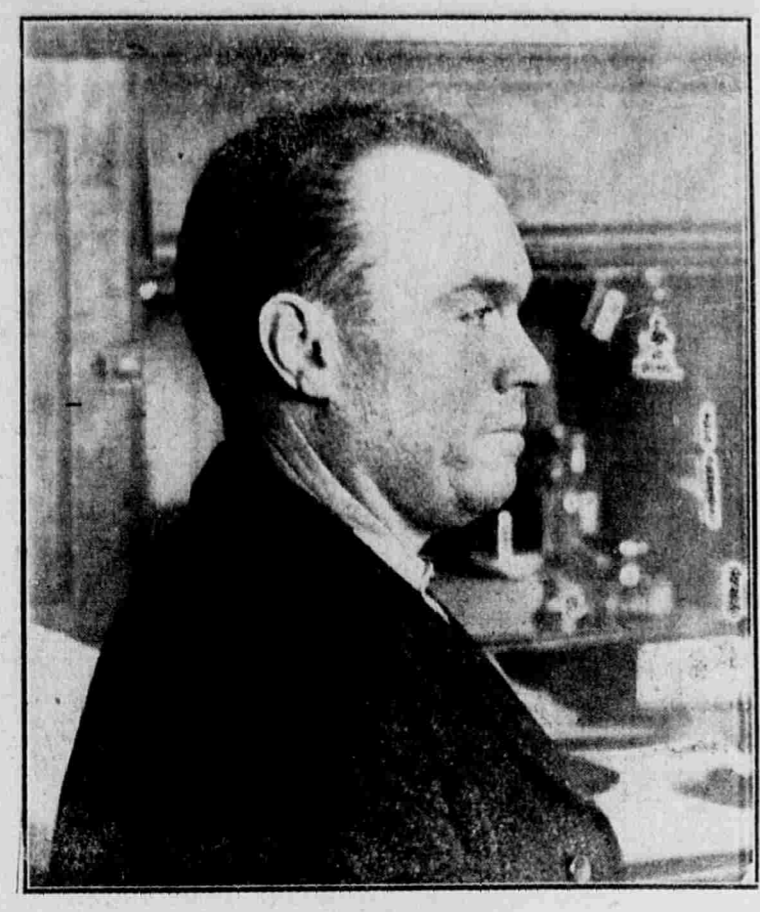
TRIAL OF HAYWOOD BEGUN IN BOISE

One of Four Defendants Charged With Complicity in Murder of Ex-Gov. Steunenberg.

ORCHARD IS CHIEF WITNESS.

Should Defendant be Acquitted, Believed Cases Against Others Would be Abandoned.

Formidable Array of Counsel on Both Sides—Examination of Jurors Is Begun.



HARRY ORCHARD.

Who Confessed that Ex-Governor Steunenberg Was Assassinated at the Instance of the "Inner Circle" of the Western Federation of Miners.

tion of speaking during the trials and that he agreed with all the major said.

LENGTH OF TRIAL.

Speculation as to the length of the Haywood trial has resulted in guesses ranging from two weeks to five months. There are some who believe that the task of selecting a jury alone will require at least three weeks. In the jury panel reporting today were only 27 names, two of these having indicated that their excuse was certain. Each side has 19 peremptory challenges and there are likely to be many lawful disqualifications.

ARRAY OF COUNSEL.

A formidable array of counsel has been engaged by both the state and the defense to conduct the cases of the accused miners. In charge of the prosecution are James H. Hawley, of this city, United States Senator W. E. Borah, County Atty. O. M. Vanduyne, and George Stone, of Caldwell, especially employed to represent Canyon county, where the murder was committed. Representing the defendants are Messrs. E. F. Richardson, of Denver; Clarence S. Darrow, of Chicago; Edgar L. Wilson, of Boise, a former law partner of Judge Wood, John F. Nugent, of Boise, and Fred Miller, of Spokane, Wash.

IN THE COURTROOM.

The big courtroom was only half filled at 10 o'clock when Judge Wood took the bench and Sheriff "Shad" Hodgins called the session to order. Gray-haired court bailiffs stood in the aisles ready to preserve order. They had little to do. The opposing counsel were arranged at long tables on either side of the witness chair, which is set in the center of the space within the counsel rail. At the defendant's table sat John Murphy, general counsel of the Western Federation of Miners, sat with the other attorneys entered for Haywood, just back of the defendants' counsel table sat Mrs. Haywood, wife of the prisoner, in her invalid chair. She was accompanied by her two daughters and a nurse.

Judge Wood made several announcements in civil proceedings before he finally turned to the array of counsel before him and asked:

"Is the defendant Haywood in court?"

"He is waiting to be called," said Mr. Darrow.

HAYWOOD APPEARS.

The next instant Haywood appeared in custody of Deputy Sheriff "Ras" Beemer, employed by Canyon county to guard the accused miners. Haywood, a stocky built man, just short of six feet in height and weighing perhaps 150 pounds, appeared clean-shaven this morning and apparently his long confinement, broken as it has been by daily exercise on the lawn, surrounding the courthouse, has had little effect upon his health. Haywood suffered an accident to his right eye some years ago, losing its sight. He sat today at the end of the line of seats occupied by his family. His chair was within a few feet of the first of the jury chairs which are arranged directly in front of the judge's bench. The Haywood family, including the defendant, Judge Wood took the stand with the statutes he would indorse on the Haywood indictment the names of all witnesses for the prosecution so far as they are known at the present time. This was agreeable to the defense.

"Are you ready, gentlemen?" queried Judge Wood.

"We are," counsel for both sides voiced in unison.

JURORS EXCUSED.

Next followed the excusing of four members of the regular jury panel of 27 names, leaving but 23 men to be examined at the trial. One of the jurors excused had a sick wife. The others had business interests which they convinced the court would suffer irreparably if they were forced to serve in this trial.

Twelve names then were called, and all of the empty jury seats were filled before the examination of any of the talesmen was begun.

FIRST MAN QUESTIONED.

A. L. EWING, a gray-bearded carpenter, who sat in the foreman's chair, was the first of the panel questioned by Mr. Hawley for the state. The attorney inquired first as to the residence of the proposed juror. He said he had lived here a number of years, having come from Oregon. He was a native, however, of Indiana.

"Are you a member of the Carpenters' union?" asked Mr. Hawley.

"No, sir."

"Are you a member of any union anywhere?"

"No, sir."

"Have you heard this case discussed by anyone who pretended to know the facts?"

"No, sir."

"Were you acquainted with Gov. Steunenberg?"

"Yes, sir."

"How long have you known him?"

"About four years."

"Ever had any business relations with him?"

"Yes, I held an appointment at the soldiers' home for awhile, but for political reasons my term of office ceased."

"Were you discharged?"

"Yes."

"Then I take it you and Gov. Steunenberg had a difference?"

"I differed with him politically at that time."

Ewing said he had read of the case thoroughly in all the papers. He

TOMMY BURNS EXPLAINS FIGHT

O'Brien Positively Refused to Enter Ring Until He (Burns) Promised to Lay Down.

HE HAD TO AGREE TO THIS.

Determined to Break Promise and Did—Had Bets Called Off to Protect Public.

Los Angeles, May 9.—A full explanation of the many suspicious features of the Burns-O'Brien fight before the Pacific Athletic club last night was given to the Associated Press today by Tommy Burns, the winner. Burns said:

"Jack O'Brien was caught in one of his own traps last night. He refused to meet me and I could not get him to agree to enter the arena until after I had promised to lay down and let him win the fight. I saw no chance other than to get him into the ring. I wanted to show the public that I was O'Brien's master. I was anxious to prove that he was no match for me, and to whip him decisively. After a long conference with the other side, I saw no possibility of pulling off the fight, unless I agreed to a prearranged result, in which I was to be the loser."

"As for the bets being called off, I was instrumental in having that done for the protection of the public. I wanted to make this explanation after wards and I did not want to see the public tricked in losing any of it money. The calling off of the bets cost me \$3,000 for I stood to win that amount."

Manager McCarty of the Pacific Athletic club today confirmed Burns' statement. Every detail of it was agreed to by the latter, in order to get O'Brien into the ring. He was not intended to be the part of Burns' manager to carry out the agreement with the O'Brien side. McCarty said he wished to be discredited in the eyes of the public. Nolan, Battling Nelson's manager, was not involved in the affair.

The disgust of the sporting world over the burlesque given under the guise of a boxing contest is without bounds.

Referee Charles Eytan said today with reference to the fight:

"Burns' statement today is the first intimation I had about any agreement between the men. I am not surprised, however, at the revelations as there was plenty of suspicion of the box night game. I called off all bets last night after a conference with Manager McCarty. We found many suspicious circumstances connected with the betting and agreed that it would be an injustice to the public to allow the bets to stand. I am glad personally that the exposure has been made, for it will help to shut some of those out of the box night game who are in it for dishonest purposes."

SECOND MAN.

The second man, James L. Ayres, said he was a farmer, married, and had lived in this county since 1881. He came to this state from Tennessee. Ayres had a passing acquaintance with Gov. Steunenberg.

"Do you recall any of the Socialist papers published in this country," asked Mr. Hawley.

"I do not, but they have been sent to me in the past few months."

Ayres said some of the papers came to him by mail while others were thrown into his yard.

"How long has that condition existed?"

FIRST OBJECTION.

"We object to that," interrupted Mr. Darrow for the defense. "The only question here is the bias of this proposed juror. There is nothing to show that anyone connected with this case had anything to do with these papers. They have nothing to do with the case."

"I have decided to allow wide latitude to the examination of Judge Wood, and for that reason the objection is overruled."

Ayres said the papers had been coming for some time. He read one of them for a time but stopped.

"Why?" asked Mr. Hawley.

"I got tired of it."

Ayres then said he had formed and expressed an opinion. He was challenged by the prosecution. The defense resisted the challenge and Mr. Richardson of Haywood's counsel took up the examination of the talesman. He drew from Ayres the statement that he felt that he could render a fair verdict, but it would take considerable evidence to change his present opinion.

The prosecution insisted upon the challenge and it was sustained. As Ayres stepped out of the box, the defense noted an exception.

BOTH CHALLENGE JUROR.

John G. Breckinridge was called. Breckinridge said he was a grocer and had discussed the case pretty thoroughly with his customers. He had discussed also the method of bringing the prisoners to Idaho from Colorado and had formed a decided opinion. He drew from the newspapers, if the evidence were different from what he had read, he thought he could change his opinion. He was not ready, without hearing the evidence, to decide the fate of the prisoner.

Breckinridge was challenged by the prosecution. The defense resisted the challenge and the talesman was promptly excused.

"I am glad we agree on something," said Mr. Hawley, laughing.

Captain J. E. Yates, president of the Boise Bank of Commerce, was next called.

Captain Yates was blunt and monosyllabic in his answers. He said he had read about the case and discussed it. What he had heard, however, would not influence his verdict. He said he had no bias or feeling against the prisoner personally.

Mr. Hawley passed Capt. Yates with out a challenge and went on with the examination of Henry W. Baker, a grocer, who sat in chair No. 5.

NO. 5 A SUCKER.

Baker said he was a native of Illinois. Before coming to Idaho he lived and farmed in Kansas and Iowa. He was once a sawyer in a lumber camp and afterwards a life insurance agent. He knew Gov. Steunenberg slightly but did not know the defendant. He had formed an opinion and he believed it was unbiased. The talesman was challenged by the prosecution for cause, but was questioned further by the defense, before they finally acquiesced. Baker made the third man excused for cause out of the first five examined. The other two, however, have not been finally questioned by the defense.

NO. 6 A BUTCHER.

George Walker, a butcher, in chair No. 6, when questioned said he knew

OUTLOOK FOR TROUBLE SERIOUS

San Francisco Streetcar Strike Situation Shows No Sign Of Improvement.

CROWDS GATHER ON STREETS.

Cars Will be Started With Crews of Strikebreakers Under the Protection of the Police.

San Francisco, May 9.—The outlook for trouble in the streetcar strike today is more serious, according to the police, than it was yesterday. Seventy more strike-breakers arrived in the city during the night and were conveyed quietly to the United railroads barbed wire yard and power plant at Turk and Fillmore streets, where more than 100 cars have been installed for the accommodation of the non-unionists.

The company will run cars from the barn at Oak and Broderick streets this afternoon, and the understanding is that none of the operatives will be armed. The police will furnish an escort of 20 or more officers, mounted and in automobiles, as was done yesterday. The route for the run has not been announced.

The arrival today of Pres. Mahone of the International Street Carriers' union is awaited with great interest. He has a name for executive ability, coolness and diplomacy, and it is hoped by some that his presence in the city will have a deterrent effect on violence.

The committee of 50 appointed by Mayor Schmitz will meet with him at his offices at 10 o'clock this morning.

San Francisco, May 9, 11:30 a. m.—At this hour crowds are congregated at Turk and Fillmore streets where Police Captains Mooney and Gleason and 40 men are doing patrol duty around the company's barns and power plant. Capt. Mooney reports that there has been no disorder today and that no arrests have been made.

The United railroads will start two cars, manned by strike-breakers, out of the barn at Oak and Broderick streets early this afternoon. The non-union men will be brought in covered wagons with mounted police escorts, from the power house at Turk and Fillmore. It is thought likely that the strike has been finally decided upon, but it is understood that no attempt to penetrate the barbed wire district will be made. It is thought that the police force in the district will be run into the Mission street district, as that is thickly populated with strike sympathizers and affords an abundant supply of piled up bricks and stones.

While it is true that the company yesterday succeeded in running two cars, manned by unarmed strike-breakers, in yesterday's run over a single division of the system, and even this number of officers was unable to prevent the hurling of stones or to disperse the mobs of thousands of men and boys who ran with the cars and only refrained from dragging the strike-breakers from off the platforms out of fear of having their hands and faces cut by the police. Furthermore, traffic cannot be resumed without them.

It has been suggested that the police force could be enlarged to adequate proportions by the appointment of several hundred special officers. While additional real protection would be welcomed by all peace-desiring people in the city, the police force of 4,000 is expressed that in the appointment of some hundreds of specials, many union sympathizers would creep into the service and the result thereof would be disastrous.

12:15 p. m.—Forty of the 50 policemen now on duty at Turk and Fillmore streets were sent to Oak and Broderick shortly after noon to accompany the strike-breaking cars throughout their run.

FAMOUS CHICAGO CONFIDENCE GANG FINALLY BROKEN UP

Chicago, May 9.—One of the most persistent and systematic "confidence" gangs that ever operated in Chicago was broken up yesterday for a few years at least, when Patrick L. Touhy, Phillip Bulter, Lee Burnett and J. C.

MURRAY STRIKE POINTS TO PEACE

American Laborers Allowed to Return to Work Without Foreign Interference.

ONE FURNACE KEPT "ALIVE."

Mayor Brown Obtained Conference With Strikers and Will Submit Demands to Smelters.

Situation to be Inquired Into This Afternoon—Many of the Strikers Leaving the State.

Today is the second day of the smelter strike at Murray, and the big plant of the American Smelting & Refining company is still closed down, with the Greeks, Italians, and Austrians employed there still out on strike.

The arrest of John Starovich by deputy sheriffs yesterday afternoon for rioting, seems to have put a quietus on the violence, for this morning when the American laborers employed at the smelter formed in a solid body in Murray, and marched to the smelter gate, they were not mobbed, although a crowd of 300 Greeks, Austrians, and Italians had gathered there to prevent anyone from entering.

The Americans are at work today, and are keeping the one furnace still in operation from burning out, and thus stopping the thin blue haze of smoke that still issues from the big stack as a signal that the company has not been completely tied up.

GO THROUGH LINES.

Other gangs of American masons and structural iron workers employed in constructing a brick and steel building west of the company offices passed through the lines and went to work this morning. While no emergency call was sent in, five deputy sheriffs arrived at 3:30 o'clock and remained during the morning. They were Deputies Corless, Steele, Sharp, Andrew Smith, and L. A. Emery. At 11 o'clock things looked so quiet that Sharp, Steele, and Corless left for Union, with the intention of searching for more jewelry in the rendezvous of the two robbers captured in that section Wednesday. This left Smith and Emery on guard at the company gates, and they were soon joined by Butler, who came down on a later car from Salt Lake.

The foreigners kept off the streets today more than yesterday, and congregated mostly in their own homes. Mayor Brown secured a conference with their leaders last night, and today had a proposition to put up to the smelting officials. While the details have not been made public, it consists of a revised wage scale, granting a raise of 25 cents per day for the laborers below the grade of mechanics.

MEET THIS AFTERNOON.

Manager Charles Whitley in the Salt Lake offices of the company, was in constant consultation with other officials, and this afternoon he will visit Murray in the hope of patching up a final truce which will bring the men back to work. While the details of the meeting are not known, it is expected that the men will be offered the terms of their contract, but I do not care to announce this schedule just at present.

THE STRIKERS consist of 1,200 men, mostly Greeks, Italians and Austrians. Their monthly payroll amounts to \$15,000, over \$5,000 of which is paid to the strikers. The rest is paid to the company.

ANOTHER WALKOUT.

The men today are trying to secure a strike. They are not working, and the Bingham Junction smelters, and these men have demanded a raise, giving the company until tonight to reply to their demands. If the company does not reply, they will go on strike. Every car coming to Salt Lake this morning carried forgers with their blankets, headed for the Western Pacific right of way through Nevada. Every car coming to Salt Lake this morning carried forgers with their blankets, headed for the Western Pacific right of way through Nevada. Every car coming to Salt Lake this morning carried forgers with their blankets, headed for the Western Pacific right of way through Nevada.

OFFERS ELSEWHERE.

One Italian laborer expressed the situation from his view point this morning by declaring that the wages were too low, and the men were restless under repeated offers of better wages elsewhere. "We will never go back," he said. "We will go to wherever we will get the increase demanded, or we will pack up and leave Murray for other points where wages are at least \$2.50 a day for the men."

DIED IN WITNESS CHAIR.

James Hatfield Expired as He Said, "I am Sound as a Dollar."

Don Mules, La. May 9.—"I am 60, but sound as a dollar and good for at least \$5."

After having made this remark, James Hatfield, the pioneer of Boise county testifying as a witness in civil action here yesterday, slipped forward in his chair and dropped to the floor dead. He was answering the usual question as to age put to a witness when he judicially boasted as above.

BALTIMORE STILL IN THE MUD.

New York, May 9.—Efforts at high tide this morning to pull the White Star line steamer Baltic out of the bed of mud in the Swath Channel, in which she was run last evening while on her way to Liverpool, failed. Four tug boats and a hauler at the steamer, but they were unable to get her out of the mud.

TO HEAR VIENNA CHOIR.

New York, May 9.—Fifty thousand persons crowded into the park at Central Island last night to hear the Vienna choir, who are visiting this country for 15 days to sing. The affair had been arranged to give the German singing societies of Greater New York an opportunity to see and hear the choir.

Seven Millions Increase In Salt Lake.

City and County Shows That, and More, Over and Above Last Year's Realty and Other Values—Interesting Figures of Growth and Progress.

County Assessor Campbell Brown and his field men have completed the assessment in this county for the year 1907, and it shows a phenomenal increase over the assessment of last year. The total assessment this year is \$57,688,447, as compared with a total of \$50,221,278 for last year, an increase this year of \$7,467,169. Or this increase about \$4,600,000 is in the city and the remainder in the county outside the city limits.

Taking into consideration the fact that the law passed by the last legislature takes all the property of the Utah Light & Railway company out of the hands of the county assessor and places its assessment with the state board of equalization, and the law exempting mortgages from taxation, it will be seen that the increase in the assessed valuations is indeed very large. The decrease in the valuations in this county by taking out the Utah Light & Railway property is \$1,063,335, and the decrease by reason of the exemption of mortgages from taxation is \$281,907.

Real estate shows an increased valuation of \$2,341,819 over last year, and the total valuation of personal property this year is \$17,832,937, an increase of \$3,105,513 over last year. The only decreases on the rolls this year are patented mining claims, sheep, swine and some other miscellaneous property. A comparative table showing the assessments for last year and this and also the increases and decreases follows:

	1906.	1907.	Increase.	Decrease.
Real Estate	\$21,328,707	\$23,670,526	\$2,341,819	
Patented mining claims	68,292	65,781		2,511
Improvements	11,337,921	10,008,474	1,329,447	
Horses	270,000	387,095	117,095	
Cattle	133,083	141,196	7,113	
Swine	36,216	36,871		655
Sheep	5,510	4,190		1,320
Bees		160		160
Merchandise	4,302,255	5,491,479	1,189,224	
Machinery	2,506,281	2,758,708	252,427	
Solvent credits	2,046,281	2,046,281		
Money	251,287	324,108	72,821	
Personal property net	3,219,515	2,757,972		461,543
Otherwise enumerated				
Grand totals	\$50,221,278	\$57,688,447	\$7,467,169	