

Five out of six "finders" will return articles of value if the owners advertise for them.

DESIGNER EVENING NEWS.

Managing a household without resorting to want advertising is to "sworry" about ninety-nine per cent too much.

TRUTH AND LIBERTY.

10 PAGE—LAST EDITION

THURSDAY MAY 23 1907 SALT LAKE CITY UTAH

FIFTY-SIXTH YEAR

JUDGE HARGIS IS ACQUITTED

He Was Tried for Shooting Town Marshal Cockrill at Jackson, Ky.

COMMITTED THREE YEARS AGO

Was Accused of Having Entered Into Conspiracy to Kill Cockrill. Dr. Cox and J. B. Marcum.

All Have Been Killed—Another Chapter in Breathitt County Feud Annals Is Concluded.

Lexington, Ky., May 23.—Almost exactly three years after the shooting of Town Marshal Thomas Cockrill at Jackson, a verdict of not guilty was returned here today in the case of Judge James Hargis, the first of those who were jointly charged with that famous Breathitt county feud annals was concluded.

On June 21, 1904, Cockrill was shot in the courthouse at Jackson, dying later at Lexington, where he was taken for medical attention and during the trial several witnesses swore that Judge Hargis, his brother and Sheriff Ed Callahan had entered into a murder conspiracy promising immunity to any one who would shoot Cockrill. Dr. B. D. Cox and J. B. Marcum, all three of whom have since died by shooting. The defense, however, presented testimony tending to disprove the conspiracy charge and Judge Hargis, testifying in his own behalf, denied all connection with the shooting. Court Judge Hargis was acquitted, but the case against the other three men, as well as Bill Britton, who is awaiting a third trial for this killing.

KUROKI NEVER EXPECTS TROUBLE WITH THE U. S.

New York, May 23.—The Herald today publishes an interview with Gen. Kuroki obtained just before he started for Boston yesterday. In which Kuroki, raised the United States, expressed amazement at New York's sky-scrapers, declared that he never expects trouble between Japan and the United States, and in reply to a question regarding a possible war over the Philippines is quoted as having laughingly replied:

"When you make war on us we will run away from you."

On the feeling here and in Japan, Gen. Kuroki said:

"Wherever I have been I have found a genuine feeling of friendliness among Americans for Japan and I can assure you that in Japan there is the same genuine feeling of respect and admiration for America. We know what a great country America is, and her friendship is something we prize very much."

FINE MARBLES DESTROYED.

Buffalo, N. Y., May 23.—Several pieces of fine marble being carved at the works of George W. Mathey & Sons, in this city for the McKinley mausoleum at Canton, O., were completely ruined by the which destroyed the plant early today. The completion of the mausoleum will not be delayed, according to Mr. Mathey. The loss upon the plant will reach \$50,000.

CONREID WILL PAY CARUSO \$200,000 A YEAR.

London, May 23.—In an interview with a representative of the Tribune, Enrico Caruso confirmed his statement that Director Conradi of the Metropolitan Opera House, New York, had entered into a contract with him for four years at a yearly salary of \$200,000. Caruso on his part agreed to let Conradi's disposal for nine months each year and to make eight appearances in each of the nine months whenever Conradi appears. For any extra appearance he is to receive \$2,000.

CENTRAL AM. REPUBLICS.

Dr. Ulloa, Costa Rican Consul-General, Says Federation Is Impracticable.

New York, May 23.—Dr. Juan J. Ulloa, consul general of Costa Rica, in this city, has made public a statement regarding Central America, wherein he points out the impracticability of the proposed confederation of the six republics, Guatemala, El Salvador, Honduras, Nicaragua, Costa Rica and Panama. He says:

"If we were all adapted to the change of political existence, it would undoubtedly be a blessing to the six states, whose small size is the strong argument used now today to declare that they are always in the wrong. I do not care to enter in the discussion of several political topics which would give a clear insight into the question, but I do not wish to wound the susceptibility of some one who does not understand my true intentions, but suffice it to say that we are not prepared yet to form a sole republic in Central America and that the task has to be accomplished by properly directed education, by an assimilation of laws and currency and by a well established system of interstate railways, railroads and telegraphs."

Dr. Ulloa expresses the opinion that as things stand today the experiment of uniting these countries would be an unfortunate one, and the majority of well thinking Central Americans would not look favorably on the subject.

JOHN A. O'KEEFE DEAD.

Omaha, May 23.—John A. O'Keefe, one of the best known railroad building contractors in the west, died today in Omaha of heart failure. O'Keefe built many hundreds of miles of western railroads.

"NEXT FRIENDS" OF MRS. MARY B. EDDY

Suit Brought by Them Against Calvin A. Frye for an Accounting, Begun.

MOSTLY WOMEN PRESENT.

Gen. Streeter for Defense Claimed Action Was Brought Without Her Knowledge.

Concord, N. H., May 23.—There was an interested crowd of spectators, mostly Christian Scientists, in the Merrimack county courthouse today when the hour arrived for the hearing of the suit brought by "next friends" of Mrs. Mary Baker G. Eddy against Calvin A. Frye and several other Christian Scientists for an accounting of the property of Mrs. Eddy, leader and founder of the sect. Women predominated in the assembly.

Gen. Frank Streeter, of counsel for the defense, addressed the court. This suit, he said, was brought, not by Mrs. Eddy, but without her knowledge and against her wishes. Three trustees appointed by Mrs. Eddy to take charge of her property wished to be substituted as complainants in this suit. Gen. Streeter took possession of Mrs. Eddy's property and have since managed it.

Mr. Streeter summarized the provisions of the deed and its directions and reservations. He had especial emphasis upon the sections continuing Mrs. Eddy's past policy in regard to the investments direct directing the terminations of the trust at the death of Mrs. Eddy.

"If this deed is valid," said Mr. Streeter, "not only all Mrs. Eddy's property but this action as well, has been destroyed. The deed is void, they ask that they be allowed to carry it on. If Mrs. Eddy's competency to make this deed is regarded as material, then this question must be decided first. Next friends' action can be brought only when the nominal complainant is unable to protect his own interests. If the plaintiff is not thus incapacitated, then the 'next friend' has no standing in court."

Mr. Streeter quoted authority in support of this position and declared:

"It is entirely the duty of the court to decide whether a 'next friend' suit shall be allowed to proceed, and in deciding this question the court shall be guided by the best interests of the parties and persons in whose name the suit is brought."

A decision by Judge Putnam of the federal court of this jurisdiction was cited upon this point.

"The person volunteering to bring a suit as a 'next friend' does so at his own risk and must be prepared to defend and vindicate the necessity of the suit. He must be able to show that when called upon as they are now called upon," said Mr. Streeter.

Mr. Kelly, of counsel for the plaintiffs, interposed a motion for the court to decide whether the good faith of the "next friend" in any motion or answer filed by him in this suit.

Mr. Streeter replied that he was laying down the principle of law applicable to this case and quoting his legal authority.

BOY PROBABLY MURDERED.

Superior, Wis., May 23.—Walter O'Neill, the 11-year-old son of Thomas O'Neill, a prominent resident of this city, has disappeared. He was last seen at his home at 1000 Pacific box car today. One side of his head was smashed and the police believe it is a case of murder. The boy has been missing since he started for school on Tuesday.

BUFFALO STRIKERS

Have a Collision With the Police, One Man Being Shot.

Buffalo, N. Y., May 23.—The police and a number of striking freight handlers clashed today at the Lehigh freight house at Third Street. Leonard Aze and Carlo Angelo, strikers, are under arrest, the former with a bullet wound in his right thigh. The police say about 25 strikers attacked the freight house. The shot was fired by Policeman Larokin, who was badly handled by the strikers. Order was soon restored.

TURKISH GARRISON DESERTS.

Belgrade, May 23.—The Turkish garrison at Teskib, consisting of 1,000 men, has deserted. The soldiers claimed that they were given bad food and that other conditions were unendurable. They carried off their arms and took far only 50 of them have been captured.

DROUTH IN NEBRASKA.

Broken Last Night, Rain Falling All Over the State.

Omaha, May 23.—The drouth was broken in all parts of Nebraska last night, good rains being reported from every section of the state. The weather bureau within the state. The rains will have a fine effect upon winter wheat which needed rain badly. Farmers have about finished planting corn and the rain came at a most opportune time for that plant. Indications are for continued rains today and tomorrow.

INDICTED FOR MURDER.

W. S. Bryant and Mrs. Sadie Vestal For That of Charles Vestal.

Chattanooga, Tenn., May 23.—At Cookeville yesterday the grand jury returned a true bill against W. S. Bryant and Mrs. Sadie Vestal, charging them jointly with the murder of Charles Vestal at Baxter last February. Mrs. Vestal stood high in society in the county before Vestal was killed. Bryant was immediately held without bail. An effort is being made to bring the case to trial next week.

MRS. WILLIAM M'KINLEY STRICKEN WITH PARALYSIS.

Canton, O., May 23.—Mrs. McKinley has suffered a stroke of paralysis and her attending physician, Dr. O. E. Porter, said this morning that she is unconscious and there is no hope of her recovery.

WAYS TO SPREAD PEACE PROPAGANDA

U. S. Commissioner of Education Brown Favors Using the Public Schools.

TO MAKE MAY 18 PEACE DAY.

Commissioner Draper of New York Declares It Is Not Business of Schools To Promote Special Causes.

Lake Mohonk, N. Y., May 23.—Today's session of the Lake Mohonk conference on international arbitration was devoted exclusively to consideration of methods of spreading the propaganda of peace by teaching pupils of the public schools and students of the colleges. Addresses on this subject were delivered by Elmer E. Brown, United States commissioner of education of New York state; Pres. Charles F. Thwing of the Western Reserve university; Pres. Rush Rees, of Rochester university; Prof. Joseph E. Beale, Jr., of Harvard; Prof. W. W. Willoughby of Johns Hopkins university, and Prof. Elbert Russell of Earlham college of Richmond.

Commissioner Brown recommends that the date of the opening of the first Hague peace conference, May 18, be annually commemorated in the public schools. Commissioner Draper, however, declared that it is not the business of the schools to promote special causes and that if the people of the state want anything done in the schools they will be likely to do so by a law.

Pres. Thwing said that the schools should train their students to analyze issues and to decide them in a spirit of justice. Prof. Beale, Willoughby and Russell also emphasized the importance of teaching college students the advantage of universal peace.

BROWN'S ADDRESS.

"By way of introduction, I may venture to repeat the recommendation made at the first annual report of the United States commissioner of education, which is now in press. This is for an annual commemoration on May 18 in the schools of the United States of the opening of the first Hague conference. While no one will attach supreme importance to the special observance of one day in the school year, even such annual emphasis upon this theme will be without its value. It is not with a view to propaganda of an international reform that this day is entitled to its special place in our school calendar, but with a view to a neglected and essential element in general education. The purpose of this day is to give to our children a better understanding of the peoples of other lands and a liberalizing influence."

"But this after all is but a small part of what the school should do to promote international arbitration. The best that we can do in the long run is to foster the genuine spirit of internationalism and to establish in the minds of our children a respect for the rights of other peoples and a desire to arbitrate their differences."

"The method of arbitration would seem to be merely the method of compromise, and the agency of a third party, but essentially it is more than this. For every well-conducted international arbitration contributes to the bringing of the disputants together and to the establishment of a respect for the rights of other peoples and a desire to arbitrate their differences."

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UNITED PRESBYTERIAN GENERAL ASSEMBLY.

Denver, May 23.—Appointments of standing committee of the United Presbyterian general assembly were announced at the morning session today by Rev. W. C. Campbell of Memphis, Tenn., who was unanimously elected moderator for the annual year yesterday. Organization was completed today by the election of Dr. David F. McGill of Allegheny, Pa., as principal clerk, and of Dr. A. G. Wallace of Newbury, Pa., as second clerk. Dr. Wallace was present at the organization of the United Presbyterian church by the union of the Associate and Associate Reformed Presbyterian churches in 1888, and has held the present office in the assembly 41 years. The report of the second clerk shows that the church now has 1,061 ministers, 1,044 congregations, 16,754 members, and 34,000 members of young people's societies in this country.

REV. BRUCE KINNEY TALKS TWADDLE

Says Only Few Postoffices in Utah Where Man Can Get Certain Return Marked Mail.

NO PROOF OF ALLEGATIONS.

P. O. Department Officials Ridicule Statement—If Charges Substantiated, Will Start Investigation.

(Special to the "News.") Washington, D. C., May 23.—A statement was made here before the American Baptist Home Mission society in Calvary Baptist church by Rev. Bruce Kinney to the effect that "there are only about 75 postoffices in the State of Utah, where a man can receive mail matter bearing the return mark of a Christian publishing house." Rev. Kinney made no further comment in regard to the way in which federal post-offices are managed in Utah. He offered no proof nor remedy for the conditions that he says exist.

The public statement of Rev. Kinney was shown to the officials of the postoffice department and they ridiculed the idea and suggested that mail addressed to gentlemen in Utah or elsewhere was delivered. There never has been a complaint of any such discrimination from the gentle or other patrons of the 328 postoffices in the State. The department takes no stock whatever in the allegations of Dr. Kinney, but should he or his organization sufficiently substantiate the charges an official investigation may be started.

MAY CLEAR UP DAYNES ROBBERY

Denver Authorities Make an Important Capture on the Train.

ED PHILLIPS IS ARRESTED.

When Searched Letters on His Person Implicated Him With the Big Diamond Burglary.

Denver, May 23.—In the arrest of Ed Phillips, who was taken from a train at La Junta, Colo., on suspicion of being a pickpocket, the authorities of Denver and Otero counties believe they have captured one of the persons guilty of robbing a jewelry store at Salt Lake, Utah, of \$15,000 worth of gems. They claim that letters and papers taken from Phillips' person enable them to connect him with the crime. Acting on information secured from a perusal of the letters the sheriff of Otero county, in which Phillips was arrested, came to Denver today and through Justice of the Peace Canyon relieved from an express company two packages of diamonds said to have been consigned to Phillips. A woman who it is claimed was to have received the package, was also arrested today, but her name is being withheld by the sheriff. Phillips came about in a peculiar manner. The conductor of the train on which he was riding was attracted by certain suspicious actions of the man and called the sheriff at La Junta to board the train on its arrival and investigate him. Phillips was arrested there and at the county jail a search of his person brought to light a number of documents which, it is alleged, implicate him in the Salt Lake diamond robbery. The sheriff's office is conducting a secret investigation at this end of the affair and will not give out any further information.

This morning Chief of Police Sheets stated that he received word last night of the arrest of Phillips, and expected that further information would be sent by the sheriff at La Junta to the police here this afternoon no additional word had been received.

The first clue as to the location of the diamonds and jewelry was obtained by the Salt Lake and Ogden police several days ago, when it was learned that a package containing valuables had been left in an express office at La Junta. The package was intercepted and a decoy package was sent to Denver, but it was never delivered. This was done for the purpose of catching the man at Denver, but he was evidently warned as a result of the premature publication of the story from Ogden. The man who left the jewelry at the Ogden express office managed to elude the officers, and at last accounts was in Nevada.

Information gained from an employing carpenter may perhaps lead to the man who stole the package. He told the police that he paid off 20 men yesterday who had worked near Elmhurst for two months past. Several of the men had been drinking and had started for Manhattan. One in particular is said to have taken a short cut across the old farm in a field of which Miss Staffeldt's corpse was found.

Several of Inspector Flood's detectives think the crime was committed by an insane man, owing to the many revolting phases.

Joseph Engle, the farm hand who saw a man running across the farm shortly before he found the girl's mutilated corpse, says that the man's eyes were crazed look which startled him. He thinks that the man was a foreigner, Adam Hummel, was working with Engle, also believes from his cursory sight of the stranger that he was a foreigner. Engle and Hummel were able to give a fairly good description of the man they saw.

SPEAKER CANNON HAS NOT ABANDONED THE STAND PATTERS.

Washington, May 23.—Speaker Cannon, on having his attention called to a report which has gained circulation that he is out for tariff reform as a presidential candidate and has abandoned the stand-patters, yesterday said:

"I do not know where the 'grapevine' originated. The only knowledge I have in the matter is the reports."

"In the campaign of a year ago, the Republican party won a victory which gave the Republicans a majority of 58 in the Sixtieth Congress, which organizes in December next, upon the cry 'Let well enough alone.' I have no doubt that the Sixtieth Congress selected will be true to the pledges made in the campaign."

SAN FRANCISCO BUILDINGS.

San Francisco, May 23.—During the year following May 19, 1906, there have been erected or begun in this city new buildings aggregating in value \$5,575,000. This does not include the cost of temporary or permanent buildings erected in May 19 of which there were 1,000. The fees paid to the city for building permits since May 19 have aggregated \$10,675,000.

JURY INDICTS MRS. DR. HAGENOW

For Connection With Death of Lucy Maddison of Salt Lake City In Criminal Operation.

AT TWIN FALLS YESTERDAY.

Charges That Chicago Police Cover Thousands of Illegal Operations With "Hush Money" Will Be Investigated.

(Special to the "News.") Chicago, May 23.—The grand jury today began an exhaustive examination into the sensational charges that midwives and doctors in various parts of the city had paid thousands of dollars "protection money" in view of the illegal surgical operations. Incidentally, the jury indicted Dr. Lucy Hagenow in connection with the death of Lola Maddison of Salt Lake City. Dr. Hagenow was indicted on this charge a year ago, but the indictment was found technically faulty. After Dr. Hagenow was called before the jury to testify in an interview credited to her, but later denied that she, in common with others, had escaped thousands of dollars for the use of "hush money" paid to a regularly organized clique of politicians and police. State's Atty. Healy has assumed personal charge of the inquiry.

The number of illegal operations performed in Chicago in a year is said to be startling. The victims are mostly girls and women from the country near here or sent through advertisements privately and in such regular publications as the "Chicago Tribune."

The postoffice department recently barred the advertisements of a score or more suspected physicians and midwives, among them those of Dr. Hagenow, from the mails.

NATURE WRITERS.

President Says Rev. Dr. W. J. Long Perhaps Worst of the Offenders.

New York, May 23.—In response to a charge by President Roosevelt that he had only superficial knowledge of the animals concerning which he wrote, the Rev. Dr. William J. Long, a well known author of books on nature, said that he has been declared by the president to be a "killer" of animals and not a naturalist. Mr. Long defended himself against this specific charge by saying that he had been declared by the president to be a "killer" of animals and not a naturalist. Mr. Long defended himself against this specific charge by saying that he had been declared by the president to be a "killer" of animals and not a naturalist.

MORE STREETCAR LINES RUNNING IN SAN FRANCISCO.

San Francisco, May 23.—Street cars of the United Railroads are running today on several lines additional to those which have been running since Monday. The new routes are being well patronized and no serious trouble has been reported.

The lines started today along Broadway and Kearney streets, Jackson street and Presidio extension, San Bruno Road, Ocean View, Twenty-second street, Fourth street, and Broadway, and along the line of the United Railroads, the Sixth and Sansone, the Howard street and the cemeteries. The cars will run after 5 o'clock at night.

DEATH FROM THIRST.

J. W. Murray, an Old Prospector, Found Dead on the Desert.

San Bernardino, Cal., May 23.—J. W. Murray, a desert prospector, 69 years old, met a horrible death from thirst six miles from Mount Wilson, at the foot of Old Dad's mountain. His body was found under a grassy tree in the bottom of a lava bed.

He had made his undergrounds to the track and strung his clothing into shreds. He had worn away his fingernails in digging desperately for water in the hard lava and had clawed his hands to the bone. Murray had been misled by a blind trail and had wandered for hours over the lava bed before death had come. He had been prospecting in the desert for 40 years.

ANTI-BUCKET SHOP BILL.

Tallahassee, Fla., May 23.—The anti-bucket shop bill which originated in the house was passed by the senate yesterday and will become a law upon receiving the signature of the governor.

MRS. T. Y. CANNON VERY ILL.

Cablegram From Germany Brings Distressing News.

According to advices received in Salt Lake today by cable, Mrs. Tracy T. Cannon, who was formerly Miss Edith Ritter of this city, is very ill in Germany. Mr. Cannon is with her at Munich, and it may be that Miss Edith Ritter, who was in Berlin when she last wrote, has joined them. The cablegram announcing Mrs. Cannon's serious illness was received by her father, W. W. Ritter, and it was followed by another sent a few hours later, stating that she was dying, and would be buried in Munich when the first was sent. Her health has been failing for some time, resulting in weakness of the heart. A few weeks ago it was determined to start home, and to prepare her for the long journey a thorough rest was decided upon as necessary. Accordingly, Mrs. Cannon left Berlin for Salzburg, near Frankfurt-on-the-Main, where is located a famous bathing resort. When she arrived, Mrs. Cannon was taking a course of baths to improve her health, and it was thought that she and Mr. Cannon would be able to start home on June 1. The cablegram states that it was an attack of heart trouble which brought on the present crisis.

M'INTERVALLOP REFUSES TO PLEAD

Looks As Though the Police Had Been Fooled by "The Big Fellow."

HOW THE TRICK WAS WORKED.

He Agreed to "Take His Medicine" Provided His Pal Went Free.

Now He Coolly Hands the Authorities The "Double Cross" All Along.

There is every indication that the authorities will have trouble with John McVernay, one of the two men captured at McCammon, Ida., on the 6th of the month on suspicion of being implicated in the hold-up and robbery at James McVernay's saloon on the Park. McVernay and a pal named Williams were brought back to Salt Lake by Sheriff Quigley of Pocatello and Captain J. B. Kurbidge of the Idaho state police. After spending several days in jail, McVernay made a confession. He admitted that he was one of the men who held up and robbed McVernay, James McVernay, James Burke and Tom Needham, and robbed them of diamonds and money valued at \$2,200. When McVernay was released, he declared that Williams had been telling him to go with him. Williams was released but it is known from "inside" sources that he promised to recover some of the stolen property and come back to Salt Lake. Williams has not been heard from since his release and the police are now convinced that he did not intend to return.

This morning McVernay was arraigned before Judge C. B. Diehl of the criminal division of the city court, and when asked to plead coolly stated that he would not say whether he was guilty or not guilty.

DID NOT CARE TO PLEAD.

"I was taken out of Idaho without a warrant and without requisition papers and at this time I do not care to plead. I will not enter a plea until I consult with my attorney." So spoke the self-confessed robber this morning. Williams, who was a great asset to the officers and they are now wondering what kind of a game he is trying to play on them.

When asked by Judge Diehl if he would be ready to plead by Saturday, McVernay said he did not know, but would plead if he consulted with his counsel in the meantime.

"Do you care to have bail fixed?" asked the court.

"No," replied McVernay. "There is no need of bail now." The man was remanded to the custody of the sheriff without bail, and was quickly handcuffed and taken to the county jail. Deputy Sheriff Slater, who is in charge of the jail, said that the question the police are asking each other and echo answers. That he made a confession there can be no doubt, but whether the persons he admitted that he was one of the men who turned the trick, but he refused and now refuses to give any information, Williams, that he was a great asset to the officers and they are now wondering what kind of a game he is trying to play on them.

It would not be surprising if Williams and McVernay framed up a scheme to defraud the State. Williams will be in jail. McVernay has received money from friends. Who sent it? Did it come from Williams? The police do not know and McVernay will tell.

HE NEVER CAME BACK.

When Williams was released, the police believed he would come back. Now, however, they are convinced that he will not return. There is reason to believe that McVernay was a "double cross" and that he was a "killer" of animals and not a naturalist.

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MRS. ISABELLA CASE.

Woman Who Insisted on Seeing President Believed to be Insane.

Washington, May 23.—Mrs. Isabella Case, who attracted some attention at the White House last week, when she insisted on seeing the president, was taken to a hospital here today. She is believed to be insane.

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A GUILTY CORONER

Fined \$1,000, 18 Months in Prison for Malfeasance in Office.

Bellingham, Wash., May 23.—A verdict of guilty was returned today by the jury in the case of the coroner of Bellingham, who was charged with malfeasance in office. The coroner was fined \$1,000 and sentenced to 18 months in prison.

AUSTRIAN SECOND BALLOTS.

Vienna, May 23.—Second ballots are being cast today throughout Austria with the election of the new law providing for equal and universal suffrage. The election is being held in the city of Vienna. The results of the election are being awaited with interest.