

ADVERTISERS: Our readers have money to spend with you. Tell them through our columns what you have to sell.

LAST EDITION.

Leilich Will Stay in Utah

which is the Report That Comes From Altoona, Pennsylvania—Announcement is Made Because of the Fact That No Official Notification Had Been Sent to Headquarters of His Removal by Bishop Warren—Denial Locally.

Altoona, Pa., March 31.—Bishop Leilich of the Methodist Episcopal church in this city, and who has been removed from his position by Bishop Warren, has announced that he will continue the latter in the Utah mission.

The above dispatch was shown this morning to Rev. Mr. Klopfel, pastor of the Methodist church in this city, and who has been removed from his position by Bishop Warren, has announced that he will continue the latter in the Utah mission.

NO INVITATION WAS RECEIVED.

Senator Smoot Effectually Squelches a Much Discussed Incident That Never Occurred.

Senator Reed Smoot came up from his morning to confer with Governor Kearns and others regarding the outline of the program for the celebration of President Roosevelt's birthday.

Smoot representative who met with the Senator National bank this morning to discuss the matter, said that he had no invitation to the celebration.

CORANTON INTO REPERTOIRE.

Company Will Disband in This City on Saturday Night Next, Reorganize and Open a Season at Logan on April 13, in "Moths"—Mr. Ethier Going to New York.

Mr. Ethier, who has been in the Coranton company for some time, has been in the Coranton company for some time, has been in the Coranton company for some time.

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ARMY OF COUNTERFEITERS.

Police Descend on Them, Capturing Complete Outfit.

New York, March 31.—Twenty minutes after the arrest in Jersey City of a man on the charge of having supplied counterfeit money, a complete outfit of counterfeiters was captured.

The counterfeiters were captured in a room in the city of New York, where they were found with a large quantity of counterfeit money.

Stages at Various Points.

Washington, March 31.—The weather here today passed the following stages: A major of the riders who compete at the annual entertainment have signed their intention of being present, among them Elkin Perry, winner of last year's championship belt.

Financing Irish Land Bill.

New York, March 31.—The Irish land bill, according to a dispatch from Dublin, via London to the Times, is working hard in order to construct public opinion on its contention that the land bill is going to be financed en-

DESERET EVENING NEWS.

TRUTH AND LIBERTY

TUESDAY, MARCH 31, 1903. SALT LAKE CITY, UTAH.

FIFTY-THIRD YEAR.

PATHETIC SCENE IN OGDEN COURT.

Mother Asks Permission to Serve Time for Her Son.

THEN ARGUES THE POINT

With Another Woman and Wins Up In Rough-and-Tumble Fight In Hall of Justice.

(Special to the "News.")

Ogden, March 31.—A very pathetic scene was enacted in the municipal court here this morning when Paul J. Cardwell, alias Wilson, appeared for sentence, he having previously pleaded guilty to stealing a number of hides from the Hillman lye house. The court sentenced the man to pay a fine of \$5 or to 15 days in the city jail.

The mother of the young man was present in court, and on hearing the sentence imposed sprung up and addressing the court begged to be permitted to serve her son's time in jail. This incident touched the hearts of all present, but the court was not moved.

Many restaurant keepers declare they will never again unionize their places and are endeavoring to secure non-union workers. The strike was ordered because non-union cooks and waiters had been employed in two restaurants that were members of the Restaurant Keepers' association.

Girl Stricken with Blindness.

Derry, Conn., March 31.—Nervous to the point of hysteria for fear she would not be able to pass an examination, for the reason that during the last two weeks her eyes have been troubling her so greatly that she was unable to study, Miss Julia Fox, 16 years of age, has been suddenly stricken with blindness.

Miss Fox was one of the most ambitious girls in her class, standing at its head, and has devoted herself with untiring energy to her school work.

She was taken to an oculist who declared that the girl's eyes had been caused by paralysis of the optic nerve, superinduced by nervousness, and that recovery was doubtful.

Ex-Senator H. W. Corbett Dead.

Portland, Ore., March 31.—H. W. Corbett, v-banker, and former United States senator from this state, died at his home in this city, this morning from heart trouble. While his death was sudden it was not entirely unexpected, as he has been in poor health for some time.

Only yesterday Mr. Corbett resigned as president of the Lewis and Clark exposition. He was reluctant to take this step as he had taken great interest in the coming exposition and had subscribed liberally to the stock.

Mr. Corbett was 55 years old and had lived in Portland 64 years, coming from New York in 1851. He was United States senator from this state from 1867-1873. His individual holdings in Portland are very large and his fortune is estimated at about \$500,000.

WABASH INJUNCTION CASE.

Judge Adams Will Hand Down His Decision Tomorrow.

St. Louis, March 31.—In the United States circuit court today Judge Adams announced that he will tomorrow hand down his decision in the Wabash injunction case. He ordered all parties to the case to be notified. Judge Adams on application of the Wabash railroad, granted a most sweeping temporary injunction on March 6 restraining the officers of the Brotherhood of Locomotive Firemen and Railway Trainmen and other labor leaders from influencing the men or ordering a strike on the Wabash system.

This was acquiesced in by the officials of the brotherhoods, whose attorneys asked for a dissolution of the injunction. Arguments on the motion were heard two weeks ago by Judge Adams, whose decision in the case is looked for with interest by railroad officials and labor leaders throughout the country.

Postmasters Appointed.

Washington, March 31.—The president has appointed the following postmasters:

Montana—Deer Lodge, Lou Coleman. Washington—Shelton, Grant C. Ankley.

No Prospects of Settling Strike.

Seattle, Wash., March 31.—The strike conference committee of seven, which has been laboring for two days in a vain endeavor to reach an early settlement of the streetcar strike, met again this morning in the rooms of the chamber of commerce.

The representatives of the striking carmen reported back that the union had unanimously declined to look with favor upon the last proposition made by the streetcar company, and so far as that particular phase of the situation, no prospect of success were left.

President Furth, for the Seattle Locomotive Firemen, made reply to the proposition of the strikers that all of the difficulties be submitted to arbitration formally declining to accede to the demand. The company was perfectly willing, Mr. Furth said, to submit some of the differences at issue to a board of arbitration, as for instance, regarding the seniority of service, but would decline to submit all of the differences.

NOW A MAN OF MEDICINE.

W. R. Calderwood Comes Home With Honor From Rush Medical College.

W. R. Calderwood and wife, formerly Miss Emma Dean of this city, and both at one time associated with the teaching fraternity of Salt Lake, returned home today from Chicago, where Mr. Calderwood has been studying medicine for a considerable time past and from which institution he was graduated with honors. He has his diploma and will shortly hang out his professional shingle, perhaps at Murray. Mr. Calderwood will be remembered as a principal of the Farmers ward and American Fork schools. Mrs. Calderwood was also a well known teacher and was employed in the city schools for a number of years. Before returning Mr. Calderwood was tendered a permanent position in the Rush Medical College hospital, an offer that comes only to the very best students.

lished July 1.—Möhler, Nez Perce county, with one carrier; Troy, Latah county, with one carrier.

A patent for a differential high pressure direct gas valve has been issued to Otto Abeling of Moscow, Idaho.

AUDITOR IS DOUBTFUL.

Will Test Constitutionality of Increase in Judges' Salaries.

A question as to the constitutionality of the act increasing the salaries of the supreme judges from \$3,000 to \$5,000 a year and the district judges from \$3,000 to \$4,000 has been raised by State Auditor Tingey, and it is probable that the question will be settled in the courts. The bill granting the increase was passed by the Legislature to become effective upon approval. It was signed by Gov. Wells and went into effect.

The state auditor is doubtful as to its constitutionality. Although the supreme court has decided that an increase of the salaries of the state officials during their term of office is constitutional, it is doubtful whether that would apply to the supreme and district judges. Mr. Tingey is also in doubt as to whether or not the increase should apply to this quarter on general principles, so has taken the matter under advisement for the present.

MARYATT APPOINTED.

Governor Morrison Makes Him Dairy, Food and Oil Inspector.

(Special to the "News.")

Boise, Ida., March 31.—Gov. Morrison today appointed T. P. Maryatt of Weiser, state dairy, pure food and oil inspector under the provisions of the new law. The salary of the position is \$1,800 per annum, and the appointment is effective immediately with bonds for two years. The secretary of state, professor of agriculture at the state university, the superintendent of the farmers' institute, and the new appointee of the governor, constitute the state board of inspection of the system of inspection provided for under the pure food law passed at the recent session of the legislature.

WITH THE POLYNESIANS.

Entertainment in the Assembly Hall On Friday Night.

On Friday evening, April 3, under the auspices of Zion's Maori association, an entertainment will be given in the Assembly Hall, commencing at 8 o'clock. Returned Elders, Saints and friends from Australia, Tasmania, New Zealand, Samoa, Society Islands and Hawaiian Islands are cordially invited and the general public is also urged to attend. The following program will be rendered:

Opening exercises in native tongue. Wonderful Maori Land by President J. E. Magley, who spent eight years among the natives, with exhibitions of war cloaks, weapons and curios. Grand display of fine stereoscopic views just received from the South Seas, portraying New Zealand scenery, waterfalls, wood camps, timber forests, Great Barrier Islands, Kauri trees, natives, etc.

Views of Tuamotu Islands, coral reefs, Samon scenes, etc. Elder B. G. Giddard will describe views of Maori Land. Elder W. G. Sears will describe views of Samoa. Elder J. H. Widsome will describe views of Tuamotu Islands. The latter will illustrate scenes of terrible devastations on the Tuamotu group caused by the recent tidal wave at Hikueru, showing islands before and after disaster.

Native songs and music at intervals, including selections by Prof. Schettler, Watene Mete and others. At the close the largest collection of South Sea Island curios exhibited in Utah may be viewed, and each group will be prefaced over by Elders from their respective missions. The entertainment is free to all, but donations will be received in behalf of Zion's Maori association.

TREATY RATIFICATIONS FINALLY EXCHANGED.

Washington, March 31.—Ratifications of the Cuban reciprocity treaty were exchanged by Secy. Hay and Minister Quesada at 10 o'clock this morning at the state department. The treaty will not be proclaimed until the United States Congress acts upon it.

Arrested a Robber.

Toledo, Ohio, March 31.—United States Marshals Wayne and Winders and Detectives Robinson and Mitchell arrested a man at the Toledo depot last night, who is believed to be the burglar who escaped after a battle with officers at Bedford, Ohio, last Saturday morning. He was arrested shortly before the train arrived which brought the remains of Frank Adams, the burglar who was killed before and after disaster. A warrant had been issued for the arrest of Adams' body was shipped. The remains were accompanied by Mrs. Jennie Wilkinson, who claims to be a sister of the deceased. Nothing is known here of her or Adams. The man arrested refused to give his name and was locked up in jail. The woman declined to talk and went to a hotel for the night.

Ass't. Mgr. W. U. Tel.

New York, March 31.—J. C. Barclay, electrical engineer of the Western Union Telegraph, has been appointed assistant manager of that company, entering on the duties of the newly created office April 1. Mr. Barclay has been employed by the company for the last 25 years, his first duties being those of a messenger boy. He came to this city shortly after Col. Cleary's succession to the presidency of the company, and his headquarters will remain here.

Lon Betts Under Arrest.

New York, March 31.—Lafayette Betts, known in the sporting world as "Lon" Betts, was locked up at police headquarters early today. A gambling house was raided in the Tenderloin a few days ago and at that time a warrant was issued for Betts, but he was not arrested. It is alleged that he went to Atlantic City. On his return he was arrested.

IDAHO RURAL FREE DELIVERY.

(Special to the "News.")

Washington, D. C., March 31.—Idaho rural free delivery routes to be established.

SPECIAL CONFERENCE EDITION SATURDAY!

Next Saturday's "News" will be a specially enlarged and attractive edition, devoted to the opening of Conference and many other special features. All orders for large advertisements should be handed in by Thursday.

All Semi-Weekly subscribers will be furnished with free copies on calling at the "News" office.

Suspicion Rests Upon Pennell.

Judge Murphy in Handing Down His Findings Says: "Altogether, These Facts Would, in My Opinion, Constitute A Just Ground of Suspicion on Which a Warrant Could Be Issued, Were He Alive."

Buffalo, March 31.—Judge Murphy handed down his findings in the Burdick inquest today and declared that the identity of the murderer had not been proved. The statement is an exhaustive review of the evidence brought out during the inquest.

Special attention is given to the letters exchanged between Arthur R. Pennell and Mrs. Burdick, particularly the one containing a threat against Burdick's life. Concerning these the judge says: "Altogether, these facts would, in my opinion, constitute a just ground of suspicion on which a warrant could be issued, were he alive."

Referring to Mrs. Hull, Judge Murphy says: "The action of Mrs. Hull on that morning (the morning after the murder) and her testimony on the stand has caused me much thought and worry. To my mind, they are inconsistent with a perfect want of knowledge as to what had actually occurred. So little apparent feeling for the dead man, such an evident desire to cover up the crime and no disposition whatever to aid the authorities in apprehending the murderer may be explainable, but has not been explained."

Speaking of Pennell's relations with Mrs. Burdick, Judge Murphy says: "His, of all others, was the motive strong enough to incite a desperate mind already steeped in wrong doing to so foul and cruel a murder. He can never be placed on trial, nor can his case ever be judicially determined. Let us be fair then to the dead as the law presumes us to be to the living. He must be presumed innocent until proven guilty."

Continuing, Judge Murphy said: "The theory that Burdick had a woman guest in his den that night has not been sustained by the evidence. It has not disclosed a single immoral act on his part."

Mrs. Paine and Miss Hutchinson are completely exonerated in Judge Murphy's findings which, in conclusion, say: "It is our duty to condemn Mrs. Burdick, but great as her wrong has been, great is her punishment."

At the beginning of his report, Judge Murphy certified that the cause of Burdick's death was "compound comminuted multiple fracture of the skull. That said fracture was the result of several blows by some person with a dull edged weapon delivered principally on the back of the head. The said blows were delivered with homicidal intent and the identity of said person has not been proved."

He reviews briefly the events of the evening preceding the murder as brought out in the testimony which he says does not show that anything unusual occurred at the house in the forepart of the night. The story of the finding of Burdick's body next morning and of the events preceding its discovery as

related by the different members of the household is told and the discrepancies in the testimony of the servants and Mrs. Hull are pointed out. Continuing to review the evidence, Judge Murphy mentions the testimony of Dr. Marcy in which he said he sent for Dr. Howland, the deputy medical examiner. The two physicians had a conversation in which Dr. Marcy said if the death proved to be suicidal it would save his name and family a great deal of scandal. Dr. Howland said:

"I don't think it is suicide," and Dr. Marcy agreed with him. "Where is the motive for this crime?" asked Judge Murphy and then he takes up the relations of Mrs. Burdick and Pennell and says it seems five years ago on the occasion of a visit to New Haven by the Burdicks and Pennell, Mrs. Burdick "gave the love which belonged to her husband to another."

She loved Pennell and he apparently became infatuated with her. Burdick learned the truth and a separation followed, but because for love of her children he took his wife back and forgave the author of his wrong upon his promise to leave Buffalo.

"This promise and the promise which Mrs. Burdick made to her husband," says Judge Murphy, "were shamelessly broken."

Finally, Mr. Burdick told her she must leave his house and he applied for the divorce, which action she did not care to defend as she wished to marry Pennell, who had agreed to support her. Pennell induced her to defend the suit. Burdick had been shadowing Pennell and Mrs. Burdick and Pennell had detectives shadowing Burdick.

"So far as appears from the evidence," says the judge, "Pennell had not succeeded in compromising Burdick in any way. Burdick, however, had a lot of evidence, consisting of letters written by Mr. Pennell to Mrs. Burdick of such gushing, love-lick, importuning nature that their publication meant humiliation and social ruin to their author."

"This, of all others," says the justice, "was the motive strong enough to incite a desperate mind, already steeped in wrongdoing to do so foul and cruel a murder. Did he do it? He was responsible for it? He had returned from the dead man's wife the day before the murder. He was very much excited the next morning and went and purchased a revolver. The clerk present at the state that he did not appear at all like himself."

SHAMROCK III HAS TRIAL SPIN.

Slipped Through the Water Without Leaving a Ripple, Carrying Her Head Well Up—Fast on Her Keel—Fastest Racer Ever Built on the Other Side.

Gourock, Scotland, March 31.—Shamrock III and Shamrock I went for a trial spin today. Sunshine and a light steady breeze had succeeded the wild weather of last week. Though the breeze was light it was decided not to risk anything and the cup challenger's working topsail was accordingly set. Shamrock I followed suit.

The challenger was the first to leave her moorings and looked the picture of a racer as she headed off-shore. Out in Gourock bay the wind was so light that the motion was more drifting than sailing. Shamrock III slipped through the water without leaving a ripple and carried her head well up. The first time the challenger looked back it was to find that by shortening her fin, Designer Pile had produced a boat which was fast on her keel, even compared with cup racers. She carried her way right through, turning and was off on her new course, while the older boat would have been still looking at it, thus showing herself free from the greatest weakness of Shamrock II. There was no attempt at a set race. Shamrock I went off over a mile ahead and then the sheets were trimmed on

both boats and a course was laid down channel. The two yachts were close-hauled while crossing the mouths of Holy Loch and Loch Lomond and the wind was equally and uncertain. They both sailed faster as they both got a better breeze, and the challenger showed herself to be a little tender in squalls, but she sailed with her lee rail just clear of the water.

She traveled fast and closed steadily upon the Shamrock I. Under the mountainous Cowal peninsula the land breeze came true and fairly fresh, and the yachts went down channel on what looked like real racing terms in which the Shamrock III's greater speed was demonstrated. Sailing in the same water and no better served by the wind the challenger pulled up on her lee rail hauling in a rope, as the boats bottomed down channel, until off Wemyss bay Shamrock III lay better to the wind and sailed faster. During this eight miles she had closed on the Shamrock I by fully a mile, and at the same time had edged quite a quarter of a mile further to windward. Experts considered this performance alone sufficient to stamp the Shamrock III as being under the conditions prevailing today, by far the fastest racer built on this side of the Atlantic to compete for the America's cup.

MAIN LEVEE PROTECTING CONVICT CAMP BREAKS.

New Orleans, March 31.—The main levee protecting the state convict camp near Baton Rouge gave way this morning. The camp is located at Angola on the east bank of the Mississippi in West Feliciana parish. It is nearly opposite the mouth of Red River. The levee which broke is a private one, maintained by the state.

"More men and money," is the cry that comes from the crevasse at Hymelia today. The forces employed there who have been working day and night are exhausted and fresh hands are required to press forward the work. The Texas & Pacific has put on daily trains to carry laborers to the scene. Eight hundred feet of cribbing at one end and 200 at the other were holding firmly at daylight and the prospect of closing the break had brightened considerably.

The river here today registered 20.2, a fall of 1 in the past 24 hours. Col. Ernest, head of the river commission, is quoted as expressing the belief that the river here has about reached its maximum if the Hymelia break continues to run.

The report from the Pontchartrain district today is that the line of levee is holding and that all observable weak spots have been strengthened. Water from Hymelia is beginning to all up the water courses on the west bank of the river and people who are living on the lowlands are beginning to move to the higher villages. It is one of the three plantations owned by the state. The crevasse will doubtless cover the entire plantation with water, but it is said that because of the location no other valuable property is likely to be affected. The back levees protecting a small settlement are in order to allow the escape of the flood. No loss of life is reported. The loss to the state will be heavy.