

CONFERENCE OF COUNSEL. Before the opening of the state's case in rebuttal in the Thaw case today there was a conference of counsel, hav-ing as its object the arrangement of a conformise as to admitting certain evidence-principally the copy of the Evelyn Nesbit affidavit supposed to have been made in A. H. Hummel's of-fice. Dist. Atty. Jerome offered to let in Harry Thaw's will by consent if Mr. Littleton would admit the affida-vit This arrangement would do away with the necessity of taking Hummel's testimony on Blackwell's Island, and would also hasten the conclusion of the case. No agreement had been announc-ed, however, when the morning pro-ceeding were taken up. EYE WITNESSES. **IS FEINBERG ARRESTED?**

Wire Received by Chief Pitt Indicates brokers' clerk, who on the morning of

Wire Received by Chief Pitt Indicatesnishings.extent until after the Ontario tunnelDiamond Thief is in Jail
In Chicago.The commissions of the commission
thouse was constructed were also put
in evidence.extent until after the Ontario tunnel
is opened, when it is the intention to
carry out the plans laid out more than
three years ago for the development
at depth; that of driving in from the
board of grounds and buildings to de-
sime the furnishings and his commons on
the summer such as a depth; that of driving in from the
obard of grounds and buildings to de-
sime the furnishings and his commons on
the summer such as a depth; that of driving in from the
obard of grounds and buildings to de-
about 26 men working on development
and operation of the Daly West company has
about 26 men working on development sign the furnishings and his compensa-tion was fixed at 4 per cent on the contract price of these furnishings, Extracts from the minutes of the board showing the adoption of a resolu-tion virtually giving the contract for furnishings to Sanderson without competition were then read.

Regarding the resumption of opera-tions at the Daly West and other mines operated under his direction, Mr. Bamberger stated that in all proba-bility no attempt would be made to resume production of ore to any great extent until after the Ontario tunnel

POSITION OF FRIENDS.

Friends of the latter, in and out of the council, take this position, to quote one of them:

Syracuse, N. Y. It seems that a man by the name of Richard Tyner, who

Good humored throughout, viscoult Haynshi raised considerable laughter by his ready responses to the oppo-sition which did not develop any spe-cial antagonism to the government's policy concerning emigration.

OLYMPIC COMMITTEE TO ALL ATHLETIC CLUBS.

Chicago, Jan. 28.—Announcement was sent out yesterday by the Olympic committee to all athletic clubs and col-leges in the west of record breaking wrestling tournaments to be held in Chicago, New York and San Francisco next June for the purpose of picking a representative American team to com-nete in the Olympic games in London next June for the purpose of picking a representative American team to com-pete in the Olympic games in London next summer. Co-operation of athletic organizations is asked, as well as their viwes in regard to America's represen-tation in fencing, golf, tennis, cycling, archery and automobiling. There will be five weights, as follows: Bantam to 119 pounds, feather to 133 pounds, light to 147 pounds, middle to 161 pounds and heavy over 161 pounds. The American committee, according to the notice, has decided not to dold a preliminary Marathon run. A 15-mile run will be held at the track and field try-outs at Marshal Field in June, and also in New York and San Francisco, and the committee will pick the Marathon contenders from the con-testants in this event. Every athletic organization of any importance in the west will be represented, it is stated, at the Marshal Field track and field try-outs. outs.

EYE WITNESSES.

The state began by calling several eye witnesses to the tragedy who de-clared Thaw's conduct impressed them as rational.

of the witnesses was Warner Paxton engineer of Madison Square

Garden. He said that just before the killing of Stanford White one of the perform-ers on the stage made a remark about challenging somebody to a duel. "Was the performer who passed the remark, Harry Hudson?" asked Asst. Dist. Atty. Garvan. "In doubt house Harry Them's chats

Dist. Atty, Garvan. "I don't know, Harry Thaw's shots followed the remark so quickly, I thought at first they were a part of the

play." D. Francis McGuire, the Tombs prison physician, was called by Mr. Jerome to testify as to Thaw's con-duct in jail, but his testimony was barred out when Mr. Littleton raised the objection as to professional privi-lege between physician and patient.

EVELYN'S AFFIDAVIT.

Abraham Snydecker, a former em-ploye of Howe & Hummel, who tes-tified last year that he witnessed Evelyn Nesbit's signature to the affi-lavit which charged Harry Thaw with studiles, next was called to the stand. The affidavit was signed by Evelyn Nesbit in the Madison Square tower was in company with Stan-

cker's testimony was objected Mr. Littleton as immaterial but When shown the photographic of the signature, however, the s said he could not positively y it, although he recognized his ature underneath that of the

cker swore that the through the document and girl its contents were true. After per was signed it was turned Mr. Jacobson, another Hummel who went to the tower with the

cker was confronted with his buy of last year and explained discrepancies by saying he reed the events more clearly this

JEROME SPRINGS SURPRISE.

Jerome here sprung a surprise by Roger O'Meara, former chief of res of Pitisburg, to the stand, a has been a prominent figure in aw defense work. Mr. Jerome bin if he had been connected e Pittsburg detective force and lving an affirmative reply said,

dittleton caused a smile by say-could not think of any questions

the witness. the exception of the testimony Hummel this is all the evidence te will have to offer," said Mr.

The district attorney would not any insanity experts in rebuttal, this statement confirmed it. Was reported that Mr. Jerome id contend in his summing up to the that no competent case of mental possibility under the law had been to out by the defense. Tother conference of attorneys fol-d Mr. Jerome's announcement. Was finally agreed that Hummel's

Jan. 14, stole from S. Samuelson about \$2,000 worth of diamonds, has been captured in Chicago, is the belief of Chief of Police Pitt. This morning the latter received the following telegram from Captain of Detectives P, D. O'-

Brien 'Send name of complainant and amount taken in Feinberg case. For fugitive warrant." It is improbable that the last three

It is improbable that the last three words in the message can mean any-thing else than that Feinberg is under arrest in Chicago. His arrest is the result of quick work by the local au-thortiles. Chief Pitt, immediately fol-lowing the bold robbery, sent out cir-culars with a full description of the culars with a full description of the young thief. He was traced from Sal-Lake to Bingham Junction, thence to Springville and then to Denver, but each time he managed to elude the of-ficers. He was next located on a Bur-lington train headed from Denver to Chicago, where his mother resides. The officers there searched for several days without results, and it was feared that

Feinberg had again escaped. But the telegram this morning sets at rest al doubts in the minds of the local police Chief Pitt at once wired the desired desired nation to Detective O'Brien of Chicago.

SANDY CO-OP ASSIGNS.

With Liabilities Amounting to \$19,000 Jorgensen Brothers Close Doors,

Caught with a heavy stock of goods, when the slump in trade activity made it impossible to move them, the Sandy Co-o, store, owned by Jorgensen Bros., today assigned to the Utah Associa tion of Credit Men, and Manager H. Van Dam, Jr., of that association, went out to take charge. It is understood that the liabilities amount to about \$19,000, and that a good sized stock of goods is on hand to cover the situa-tion. Mr. Van Dam was seen by a "News" reporter shortly before leaving for

reporter shortly before leaving for Sandy, and he said that while he did not care to discuss the particular case, it was still a fact that the only wise the value of the coming year is for the retailers to watch their stocks very carefully, to be under rather than overstocked, and to push their goods off their counters, buying in smaller quantities and oftener rather than loading up a big line that is difficult ding up a big line that is difficult manager

The plan of small profits and quick returns," is what is needed for these times," said. Mr. Van Dam, and loars credits, with big stocks are decidedly not destrable."

MAY VISIT NEW MEXICO.

Congressional Committee to Look Into Conditions in Territory.

(Special to the "News.")

Washington, D. C., Jan, 27.--No laws respecting statehood for New Mexico

ABother conference of attorneys fol-hewed Mr. Jerome's announcement. It was finally agreed that Hummel's festimony at the last trial should be read to the jury and that the Thaw will also should be read. Hummel is how confined in the prison on Black-well's island, serving a sentence for subornation of perjury. He was too ill

SCHOOL OF MINES.

Rep. Howell Introduces Bill to Give

It Part of Proceeds of Sales. (Spcial to the "News.") Washington, D. C., Jan. 28.-Mr. Howell has introduced a bill granting to the school of mines of the Univer-sity of Utah 25 per cent of all pro-ceeds of mineral land sales in the

state of Utah. CRIME IN NEW YORK.

In First Division Were 149,494 Arrests In the Year 1907.

New York, Jan. 28.—During 1907 the police of the first division of the city of New York, comprising the bo-roughs of Manhattan and the Bronx, arrested more people than live in cities of the class of Denver, New Haven and Surgause. The total surplus of arrest Syracuse. The total number of arrests in the district was 149,494, an increase of 8,202 over 1996. Of the total number of 3.202 over 1996. Of the total humber arrested, 125,627 were males and 22,887 females an increase in the number of males of 11,175. Taking the district's nopulation as 2541,054, the number arrested repre-sents 5.9 per cent of the whole. The total number arraigned for felonies during the user ups 12 212 an increase

during the year was 13,913, an increase of 2,260 over 1906 and of 5,880 over 1897, The figures show an increase of 4.4 per The figures show an increase of a per-cent in arrests for grand larceny; 18 per cent for burglary and 31.9 per cent for robbery. The figures are made public in the annual report of the board of city magistrates,

COMMOTION IN CHICAGO HIGH SOCIAL CIRCLES.

Chicago Jan. 28 .- The Inter-Ocean today says: Loss of a large diamond studded tortoise shell hair ornament, valued at nearly \$10,000, has caused commotion in the most exclusive social

commotion in the most exclusive social circles of Chicago. The ornament was the property of Mrs. W. W. Kimball. She missed it after having returned to her home from the reception which Mrs. Marshall Field gave to 40 of her friends in the Field home on Sunday night.

Field gave to 40 of her friends in the Field home on Sunday night. Not since the loss of the jewel was discovered by Mrs. Kimball has the search for it been abandoned, and the large Field home has been overhauled from attic to cellar. All of the servants of the household have been carefully questioned by Mrs. Field, but their an-swers have been such, it is said, as to place them above suspicion. In view of the possibility that the pin may have been lost from her hair while she was on the street, Mrs. Kim-ball has advertised a large reward for its return.

its return. DR. REITMANN ACQUITTED.

Chicago, Jan. 28.-Dr. Benjamin Reitmann, who led the march of the "unemployed" last Thursday, was to-day acquitted of the charge of disorderly conduct.

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about 25 men working on development, a portion of whom are engaged in drifting a drift towards the Little Bell workings.

BREEDERS' ASSOCIATION.

Aim is to Improve Human Race and Plant and Animal Life.

Washington, Jan. 28.-A large num-ber of delegates assembled here tober of delegates assembled here to-day in attendance upon the fourth an-nual convention of the American Breeders' association. The association will be in session three days. The object of the association, whose mem-bership embraces scientific and prac-tical breeders to the number of about 1.100 is improvement of the humon 1,100, is improvement of the human race as well as animal and plant life. The animal breeders are endeavoring to breed a better class of horses; cows

to breed a better class of horses; cows that will yield more milk and butter, meat animals that will yield steakes and chops more tender and better fla-vored; while the plant breeders are working for wheat that will yield flour and more of it, corn that will contain more protein, plants that will resist blight and the attacks of rust and smut, cereals that will flourish in spite of drought, fruits that will grow far north, and flowers that will bloom all summer. summer

What probably will prove to be one of the most interesting reports will be that by Dr. David Starr Jordan, on "Eugenics, or the Science of Impro ing Stock," whether human or as ani

TREATY WITH FRANCE.

Secy. Root and Ambassador Jusserand Signed it Today.

Washington, Jan. 28.—Secy. Root and Ambassador Jusserand today sign-ed the Franco-American reciprocity arrangement, drawn under section 3

arrangement, drawn under section 3 of the Dingley act. The agreement concedes to France an abatement of 20 per cent in the duties on champagne and sparking wines imported into America. For its part, the Franch government confirms the minimum tariff rate now accorded to American products. Provision is the minimum tarts how accorded to American products. Provision is also made for the appointment of a commission of three members on each side to consider and report upon pos-sible amendments to the existing trade regulations in both France and Am-erica to facilitate exchange.

OHIO PRIMARY LAW.

The State Supreme Court Holds That It is Perfectly Valid.

one of them: "Let them give some reason why Bur-bidge should be removed. That he is reputed to be a Mormon will not do; that he has not been a worker for the American party will not do. He has served in the police department for 17 years, under Liberal party rule, under a Citizens' administration, under Demo-cratic rule, under Republican rule, and now under an American party adminisow under an American party adminisnow under an American party adminis-tration. In all that time there has nev-er been a single charge against him. He has never been 'called on the car-pet,' he has never taken an active part for or against any political party, and for or against any political party, and there has never been anything to indi-cate that he has done other than his whole duly as a police officer. Why, then, should he be removed?"

PLAN REMOVES STONE WALL, SAYS CLEWS.

As the only relief measure that is "politically possible" and for the much needed elasticity it is expected to supply if adopted, Senator Aldrich's currency bill now in the hands of the finance committee of the United States senate, was commended yesterday by men of finance in New York, according to the New York Herald.

Many bankers of prominence, while

Many bankers of prominence, while praising the measure in private, de-clined to indorse it publicly, owing to what they termed the business in-advisability of going on record as fav-oring or opposing any one of the many currency reform bills now being ex-ploited. Every day's mall is bringing to New York bankers copies of bills, each of which, the author is prepar-ed to pledge his reputation, will, if en-acted into law, cure all the financial ills the country is heir to. Most of these copies are finding their way into the waste basket. By the baakers interviewed the Al-drich bill was, almost without excep-tion, spoken of as the only measure for currency relief that has been suggest-ed which has anything like a good

tion, spoken of as the only measure for currency relief that has been suggest-ed which has anything like a good chance of being passed at this session of Congress. Many of the bankers said they would favor a comprehensive revision of the currency system of the country, provided such revision could be brought about; but that in the ab-sence of any such chance the Aldrich bill merited support on the theory that half a loaf is better than none. "If a man is running away from a danger," said Henry Clews, "and butts squarely into a stone wall, around or over which he sees no chance to es-cape, he is going to become panie stricken. If he sees a way through he continues to run until he considers himself safe, but he does not become panicky. That illustrates the currency situation in the United States and the reason why the Aldrich bill, or some measure very much like it, should be adopted. "The inelasticity of our present cur-rence vestem is a stone wall that pro-

adopted. "The inelasticity of our present cur-rency system is a stone wall that pro-duces panic the instant people en-counter it in running away from the dangers of financial stringency. The Aldrich bill is the way through and the best means of averting panles in the future.

It is Perfectly Valid. Columbus, O., Jan. 28.—The suppressions of the common please court of duces panle its is show will that pro-preme court today affirmed the decisions of the common please court of Franklin and Allen counties, in the two cases brought to test the validity of the Bronson primary election law. The substance of this is that the court holds the haw to be valid. The decision makes the call for state primaries on Feb. 11 regular. Proposed to carry the case to the further for the function states at once and had secured from the courts the right to prepare the entry in the case with thut end in view.

formerly worked in the Tintic mining district in Utah, has been incarcerated in an insane asylum in New York, by a in an insane asylum in New York, by a woman claiming to be his sister. The information is contained in a letter re-ceived by the "News" from Charles E. Huck, editor of the Syracuse Journal, who is seeking some relative or friend of the man in Utah. The letter follows: "I am looking for some relative.

Richard Tyner, Formerly a Miner at

Tintic, Incarcerated in New

York Insane Asylum.

A strange tale of a hermit comes from

Huck, editor of the Syracuse Journal, who is seeking some relative or friend of the man in Utah. The letter follows: "I am looking for some relative or friend of Richard T, non or Tyner, who on the request of an alleged sister was sent to an insane asylum near here last week. The man came here from Utah about Sept. 11, and had in his possession a bank book on the McCor-nick bank showing a deposit of about \$3,500. He had done husiness with the bank both in Salt Lake City and Eure-ka and was from the Tintic mining re-gions, I think. I understood him to say that he had been married (this was before there was any talk of his being demented) and had children, and for that reason I am seeking information about him. He claimed to me to have been a mine blacksmith and prospec-tor. His alleged sister admits that she has not heard from him in 15 years. She heard of him at the time he was arrested for intoxication after being robbed, at least so he claims." Inquiry at the banking house of W. S. McCornick & Co. developes that Richard Tyner, a Tintic miner, depos-tive to the deposit, from a Syracuse attorney representing the sister; but no attention would be paid to any com-munication and been received rela-tive to the deposit from a Syracuse attorney representing the sister; but no attention would be paid to any com-in make a guardian was necessary. Of course any demand from him in the process of law would be acceded to. Very litle is known of the man here, further than that he was a hermit, and had as little to do as possible with other miners in Tintic.

OUARREL OVER IRELAND.

Almost Fatal Shooting in Bar Room On West Temple Street.

other miners in Tintic.

There was a shooting scrap in the Coranton bar, 168 West South Temple street late yesterday afternoon which came mearly resulting fatally. It was the result of a row between Albert Donnel-ly, a hartender, and David Graham, a cook, Graham fired three shots at Don-nelly say wounded him twice in the leg. Donnelly was taken to St. Mark's hos-pital where the wounds were dressed. The two men had been drinking to-gether and were Intoxicated when a wrangle started about Treland, Hot words led to blows and Graham was knecked to the foor by Donnelly Bent over the old man to strike him again when draham suddenly whiped out a revolver and fired three shots at Donnelly. Graham was arrested and is now locked in the city jail pending a full Investi-gation of the affair. street late yesterday afternoon which

LONG DEFERRED PAY-DAY.

Friday will be pay-day for the teachrs of the city schools and the most ome of all that have been. The last day for the teachers was Dec. 20 ad then after buying Christmas pro nes with their pay checks and the c oread cleaking of school for an ext cesk put the feachers in a position for an extra asued Friday will by for a half month

CARDINAL RICHARD DEAD.

Born at Nantes, March 1, 1819, and Made a Cardinal in 1889.

Paris, Jan. 28 .- Francois Marie Ben-Paris, Jan. 25.--Francois Marie Ben-jamin Richard, cardinal and archbian-op of Paris, died here today of conges-tion of the lungs after a short illness. Cardinal Richard was born at Nan-ter March 1 15% and was born at Nan-March 1, 1819, and was made a cardinal in 1889.

FOPE MUCH AFFECTED.

Rome, Jan. 28.—Although he had been informed that the end was com-ing, the news of the death in Paris of Cardinal Richard deeply affected Pope Flus. He knolt in prayer for a few mo-ments and when he areas he avoid iments and when he arose he exclaim

"He was not even allowed to close his

eyes in his own house." This was an allusion to the fact that in 1906 at the height of the church separation troubles in France, Cardinal Richard was ordered by the French authorities to vacate the arch-episcopal related in Paris.

authorities to vicate the archieptscopes palace in Paris. The body of the late cardinal will be exposed to public view tomorrow. A message of condolence from Presi-dent Fallieres has been received at the arch-bishopric.

TO KILL TUBERCULOSIS.

New York May Require Compulsory <text><text><text> Registration of All Consumptives.