LAST EDITION DESERET EVENING NEWS.

TRUTH AND LIBERTY

THURSDAY JANUARY 7 1909 SALT LAKE CITY UTAH

12 PAGES



When Verdict Announced. Sisters Fell Into Each Other's

Arms and Wept.

Trial Lasted Over a Week and People

Of Entire State of Pennsylvania

Were Greatly Interested.

Medla, Pa., Jan. 7 .- Mrs. M. Florence

Erb, wife of Capt. J. Clayton Erb, who

vas well known in political circles all

ver Pennsylvania, and her sister, Mrs.

atherino Beisel, who were charged

cith the sensational murder of Capt.

Erb on the night of Oct. 6, 1908, today

alked from the Delaware county

ourthouse free women. After the jury

ad been out nearly 18 hours it brought

n a verdict of not guilty in the case

feach woman, both of whom had been

harged separately and jointly with

oting the captain. Thus ends a trial

SCHALLENBERGER INAUG-URATED AS GOVERNOR

Lincoln, Neb., Jan. 7.—Ai the joint session of the house and senate. Aso-ton C. Schallenberger, Democrat, was today inaugurated governor of Nebras-ka. In his message, Gov. Schallen-berger urged the passage of a bank deposit guaranty act, advised strict economy and asked for several amend-ments to the primary law. After calling attention to the increase in insane patients and convicts, Gov. Sheidon, the retiring executive, in his message, asserted that society was jus-tified in adopting laws for its protec-tion

COUNSEL EXCUSE **THORNTON J. HAINS**

Flushing, Jan. 7.—After many hours on the witness stand where his story of the killing of William E. Annis was probed in its most minute detail. Thorn-ton J. Hains was excused today from ton J. Hains was excused today from further examination by counsel for both sides. Hains showed signs of great depression as he took his seat beside counsel on leaving the stand. Medical testimony, regarding the sanity of Capt. Hains, will consume the afternoon session

that has held the interest of the people of the state for more than a week. Almost up to the moment when the jury announced that it had agreed, the jury announced that it had agreed, the prospects for a unanimous decision of the 12 men was not bright. During the merning the jury filed into court and asked for further instructions on the question of self-defense and while the spectators were still standing in the courtroom discussing the instructions given the jury, word came that the men had agreed. The defendants were sent for at once.

ad agreed. The defendants were sent for at once. During this heart-breaking interval the standants were so nervous they could et remain still. Jumping from their eats striding up and down, sitting lown again-hands in pockets, hands clasped behind their backs, they were clasped behind their backs, they were re restless than any jungle animal a cage of a city 200. J. Bohrman Robinson, the assistant strict attorney, was also very ill at

ease. Judge Johnson took his seat just as the jury was escorted into the room. There was absolute silence. Then the court elerk went through the usual proceedings of asking whether the jury had agreed and the foreman announced the verdict of not guilty in each case. With a half scream, the sisters [5] into each others' arms and women wept as they looked at the pathetic scene. In an instant the women were sur-

KING MANUEL WARNED OF PLOT TO DETHRONE HIM this each others' arms and women wept as they looked at the pathetic scene. In an instant the women were sur-rounded by friends and their relatives and overwhelmed with congratulations. Harry Beisel threw his arms around bis wife and his sister-in-law, Mrs. Erb, and tears came to their cyes. This

onary Laboring in Samoa Succumbs to Sunstroke **Missionary Laboring in**

L. D. S. Conference Pledged Itself To Prohibition, Says Heber J. Grant

"There exists in the minds of some persons a doubt as to the exact meaning of the resolution relating to the liquor question, passed at the late conference," said Hon. Heber J. Grant today. "That is," he continued, "some are of the opinion that the conference pledged itself, not to prohibition but to local county option. You may say for me," he continued, "that as the author of that resolution and the person who presented it to the conference. I intended it for nothing short of prohibition. At the time, no one seemed to question what it really meant. Why, could a purpose be more clearly stated? Let the doubter read the resolution again. The closing section says:

"'It is proposed, therefore that all officers and members of the Church of Jesus Christ of Latter-day Saints do all in their power, that can properly be done, with lawmakers generally to have such laws enacted by our legislature, soon to be elected, as may be necessary to close saloons, otherwise decrease the sale of liquor and enact what is know as the Sunday law?

"How can saloons be closed effectively without prohibition? Would the ends of the temperance cause be met by shutting up such a place in Cache county, for instance, and allowing others to run in Salt Lake county? Local option might work well enough in some communities, but not muster sufficient strength to prevail in certain other counties. The conference resolution was a demand for prohibition in this state, which will mean the stamping out of saloons, root and branch, and confining the sale of liquor to its legitimate uses, as stated in petitions now being circulated, namely medicinal, mechanical and sacramental purposes.

"The Church of Jesus Christ of Latter-day Saints is not standing alone in this matter locally. The ministerial association of this city and various Church organizations have met and declared emphatically for prohibition. They did not confine themselves to local county option, nor do I, either as a Church member or as an officer of the Anti-Saloon League of America. I am going to work day and night to bring about the enactment of laws strictly prohibitive in character dealing with the liquor question, and in doing so I shall be carrying into effect the intent and purpose of the resolution adopted at the last general conference.



Cleilan yesterday when Justice Black-mar of the supreme court of Brooklyn grouted the application of William Pox, president of the Moving Picturemen's association, for an injunction against putting into effect the mayor's recent wholesale revocation of moving picture licenses. The application of Fox, which was made in behalf of the 540 members of the association, was one of three that promptly followed the mayor's drastic action. Justice Blackmar held that the mayor's action was arbitrary, but directed that his order granting the injunction should plainly provide that it does not restrain the mayor from re-voking any or all licenses for cause.

BATTLESHIPS AT PORT SAID.

Port Said, Jan. 7.—The American bat-leships Georgia, New Jersey and Ne-braska have arrived here. The Virginia and Louisiana have proceeded to Beirut, Syria. The battleships Rhode Island, Wis-consin, Illipois and Kearsage arrived this morning through the canal from Suez.

HANDCUFF KINGS.

Albertus" Nearly Perished in Surf

Trying to Remove Straight Jacket. Atlantic City, N, J., Jan, 7.-In an attempt to emulate the men who style themselves "handcuff kings," a young man who calls himself Albertus, near-ly perished in the surf here yesterday. Tightly laced in a straight jacket, he endeavored to show his ability to free himself while under water. Benumbed by the clod, he lost consciousness and was nearly drowned before being res-cued by life savers. Albertus jumped into the water from a row boat but it was seen immediately that he was not making a success of his experient. Twice he rose to the surface straighting, then sank to rise again a third time, only one arm, however, could he free from the jacket and the life savers in-tervened to prevent a tragedy. Trying to Remove Straight Jacket.

JAMES TREADWELL

San Francisco, Jan. 7.—James Tread-well, once a multi-millionaire, one of the promoters of the world famous Treadwell mines of Alaska and a form-er director of the California Safe De-posit & Trust company of this city, which suspended during the panie last year, was yesterday adjudged a bank-rupt in the federal court on petition of the depositors of the bank. The court, however, refused to place an attach-ment on certain property alleged by the petitioners to belong to Tread-well, holding that such property, Treadwell is under indictment by the grand jury in connection with the fall-ure of the bank.

D. O. MILLS IN SAN FRANCISCO.

San Francisco, Jan. 7.-D. O. Mills and his daughter, Mrs. Whitelaw Reid, arrived in this city yesterday from New York. They will spend the winter at the Mills country home at Millbrae.

the Mills country home at Millbrae, near this city. In regard to the stories that they left the east so as not to be present at the marriage of his granddaughter, Miss Beatrice Mills, to the Earl of Granard, the aged capitalist said: "I would have liked to have been present at the wedding and would have if I had remained. It was sim-ply my custom to come to California for the winter and I have come."

SHERIFF COMMITS SUICIDE.

Fallon, Nev., Jan. 6 .- With a Bible in Robert Shirely, sheriff of Churchill county, sat on a pile of lumber near the Fallon rational station and blew off the top of his head with a revolver. Worry over the fallure to secure bonds-men following his re-election in No.

It's the Business of a "News" Want Ad To Run Your Errands-Today or Tomorrow.

FIFTY-EIGHTH YEAR



Miss Nellie O'Donnell of Kansas **City Charged With Taking** Forty Thousand Dollars.

HER AGE THIRTY-TWO YEARS.

And Now She Says She Doesn't Know Why She Took the Money.

pany Ten Years Ago.

Kansas City, Jan. 7 .- Miss Nellie O'

office of the company at which Miss

O'Donnell was employed. Most of the

company's books were burned. How

ever, Miss O'Donnell's cash book was

ound only slightly damaged. An ex-

Entered Employ of Schwarzehild and Sulzberg Beef and Provision Com-

Donnell, aged 32, a former cashier and bookkeeper for the Schwarzschild & Sulzberg Beef & Provision company. was arrested last night on a charge of embezzling \$40,000 while in the employ of the company. According to the poice, Miss O'Donnell has made a complete confession. The embezziement took place in July, 1908. A short time afterwards fire destroyed the branch

EX-MILLIONAIRE BANKRUPT

pert accountant employed to investigate the firm's affairs discovered the shortthe firm's affairs discovered the short-age. Miss O'Donnell asserts that she does not know why she took the money. The responsibility for the burning of the company's branch, which was believed by the officials of the com-pany to have been of incendiary ori-gin, has never been placed. Miss O'Donnell denies any knowledge of it. Frank O'Dowd, also a former book-keeper for the company, was arrested

Frank O'Dowd, also a former book-keeper for the company, was arrested shortly after Miss O'Domed. The po-lice assert that O'Dowd has signed a statement that at various times he had received sums of money from Miss O'-Donnell amounting in all to \$500. With these funds in hand, O'Dowd resigned his position shortly after the fire and established himself in the cigar busi-ness in Kansas City, Kan. Miss O'-Donnel also left the company and bi-came his clerk. In her confession, Miss O'Donnell says, O'Dowd, did not know that she had embezzled the money.

Miss O'Donnell entered the employ of the company 10 years ago and had been promoted from office girl to the position of cashier.

SHARP CRITICISM OF ARMY MANAGEMENT

Washington, Jan. 7 .- Sharp criticism Washington, Jan. 7.—Sharp criticism of the army and its management is ba-ing heard about the capitol. Some of the most pointed remarks have been published in the official record of the testimony taken before the house coll-mittee on military affairs, in conne-tion with the army appropriation bill it developed that \$10,409 had been expended for mileage in connection with the borsemanship tests ordered by the president. This money is was as





Reading from left to right. Top row-James I., Lisonbee, John Q. Adams, Mission secretary, George E. Morris.

Middle row .- William Kenison, William A. Moody, president; Alfred Jensen, Hiram Broadbent.

Bottom row .- Charles H. Draper, Robert M. Forrest, John W. Wood-

Word has just been received from Apia, Samoa, of the death there of a Suma missionary, George Edwin Morris, who died Dec. 13 from a five weeks' liness following sun-stroke. The letter bearing the news was from John 9 Adams, the mission secretary, and gives a brief account of the elder's Semise and burnd. The home of the deceased was at Mesa, Ariz, and he attived at the Samoan group July 5 last. For Four months he labored at anniato, and was then assigned to accompany Eider William Kenison to the shand of Savall. It was while en foute to the latter place in a sailing resul that he was overcome with heat. He lapsed into unconsciousness, and his condition was so serious that his companion chartered a steamer and sok him to the mission headquarters at Apia. There he received medical ittention and tender nursing on the part of his colleagues, but he died on he date indicated. The funeral occurred next day, the obsequies being argely attended and the remains were interred in the Apia cemetery.

Elder Morris was born at Rockville, Washington county, Utan, 1857, and was the son of Hyram E. Morris, Jr., and his wife Eliza Smith Morris. The young missionary was set apart in this city May 14, 1905, by Elder John Henry Smith. His companions in the field speak of him in the In the picture Eider Morris is the third man from the left on the top

Prince Karl, in which Willard Mack, who was present at the meeting, has a prominent part, also a scene from Fifty Miles from Boston, which makes its appearance at the Salt Lake theater during the week of Jan 21.

during the week of Jan. 21. Besides these features the matinee will present scenes and sketches from every theater in the city, besides the appearance of some local talent, and will probably consume about four hours'

UNIFORM SEAT PRICE.

UNIFORM SEAT FRICE. The price of admission, which will be general, and not including reserved seats, as there will not be any, will be \$1. These who arrive first will have the choice of the seats of the house, with the exception of the boxies which will be held for separate sale.

The seating capacity of the Colonial is 1,800, and it is believed and hoped that the sale of tickets will be large, that the sale of tickets will be large, as it is one of the most worthy objects ever presented for public patronage, aside from which the performance will be well worth the price of admission. Those present at the meeting this morning were: Willard Mack, Jas. H. Dunworth R. A. Grant and Will R. Winch, besides Mayor Bransford. George D. Pyper of the Salt Lake thea-ter was unable to be present, but tele-phoned his agreement to abide by whatever the others did, as did also John Held of the Grand. There will be another meeting to perfect details be another meeting to perfect details Monday afternoon. THE RELIEF FUND.

Contributions to the Italian relief fund received at the offices of the "News" today were as follows:

5.00 1.00 Elizabeth Wagstaff James Leach J. M. Christensen & Co..... 2.00 5.00J. M. Christensen & Co...... F. B. Hammond, Moab Jobn Hlatt Hermisten, Oregon.. J. W. Rhodehouse, Egin, Ida..... J. W. Rhodehouse, Egin, Ida..... Thomas Hall, Egin, Ida..... Joseph White, Egin, Ida..... Gideon Wanegar, Egin, Ida..... Heber Moon, Egin, Ida..... William Rawson, Egin, Ida..... Frances Rawson, Egin, Ida..... 1.00

Louis Wanegar, Egin, Ida... Alex Orgill, Egin, Ida..... Amount provinus acknowledged., 622.95

JOKE ON A PHYSICIAN.

Chicago. Jan. 7.-A basket carefully sovered from which emanated a faint polse was found during an early morn-ing visit by Dr. O. Y. Schroeder. The hysician was indignant at the appar-nit heartlessness of some mother and arefully carried the basket to his resi-tence. The covering was removed and he supposed beby was found to be a wo weeks' old pig. Dr. Bohroeder's aughter has adopted the animal as a et. two wer daughter

YERKES ART GALLERY SOLD. New York, Jan. 1.—The Yerkes art gallery and the plot of ground on which it stands, were sold yesterday to satis-fy the mortgage upon the property. The price obtained was \$277,580, which barely overs the mortgage held by the Mutual Life Insurance company and the tax lane of the city. The point purchasers ne of the city. The joint purchasers 6 Martin D. Fink. Andrew J. Connick d Max Mars. The art treasures were t included in the sale.

ounty conventions demanding from their scenators and representatives that they stand for temperance legislation. At the same time, the temperance senti-ment and feeling appar to have passed beyond the matter of county local option, and now seem to have come ou for state wide prohibition.

THREE COUNTIES IN LINE.

"It is an unmistakable fact that At is an unmatakable fact that a large percentage of the people of Utah would be hardly satisfied with county local option. This fact may be noted in the counties of Wasatch, Morgan and Sevier, and others, where, by local action by the county commissioners cal action by the county commissioners, saloons went out of business the first day in the year. The people are evi-dently in earnest in this matter, and if senators and representatives fall to respond to the overwhelming demand manifested everywhere, they can hard-ly be true to their constituents. However, we have no such fear, and fur-thermore, do not believe any influence can divert the members of the legislature from carrying out the wishes of their constituents in this important issue. As an Anti-Saloon league, while we canvaseed the state for local bunty option, we heartily acquiesce the tidal wave of prohibitory ser senti the lidal wave of prohibitory senti-ment that is gathering, and we would be untrue to the highest interests of the Anti-Saloon league if we did not use all our influence to help carry through to success, so far as in us lies, this prohibitory movement."

POLICY OF LEAGUE.

Supt. Fuller said it was the policy of the league to take up the unit movement just where the sentiment of the accommunity would support it, and then work to push the movement up to the apex of prohibition, as fast as public sentiment would sustain it. If the league found the majority in a com-then begin with the precinct. Where public sentiment supported best the county as the local option unit, take the county; and where the people of a state have been educated up to that point where the commonwealth at large will stand by state wide prohibition-why, then straight prohibition for the whole state. Mr. Fuller is very much gratified to find the people of Utab is a commonwealth are ready and anxious to rise bodily and throw the saloon and its morally, physically and spiritually destructive influences be-yond the state limits. Where

J. P. MORGAN'S WHIM.

Has a Baby Made Fellow of Metropoli tan Museum of Art.

New York, Jan. 7 .- Virginia Masis Bur-bidge, six months' old, a daughter of William L. Burbidge, an attendant in the galleries of the metropolitan mu seum of art, has been made a fellow of seem of art, has been made a fellow of the museum, through a whim of J. P. Morgan. Taken to the museum in her mother's arms on Monday night at the opening of the German exhibit. Mr. Mor-gan noticed the wes girl and remarked that us she was the direi child to at-tend the exhibit she should be made fel-low for life, with all privileges attend-ant thereto, Mr. Morgan to stand spon-sor for the 55.000 fas. The child's home addrease was presumably taken at the time, but through a miniake the wrong number was obtained, and it was not informed of the honor that had been and in was not informed of the honor that had been astrowed upon their little daughter.

only means of preventing an outprease of serious illness. The relief parties complain that the starving refugees require the most nutritious food and want only macaroni. The work of the soldiers in Messina today consists with the soldiers in destination of the bolt principally in gathering up dead bodies and burying them in arches between layers of quick lime. Out of respect to the provailing religious feeding it was determined not to burn the dead. The work of relief is now well under way in Messina, but the smaller towns in the interior are being neglected. Ships arriving on the scene will be sent to coast towns and parties will be Ships arriving on the scene will be sent to coast towns and partles will go inland with supplies. The Einglish have established a splendid relief camp in the hills behind San Giovanni. A search for survivors is still going on, and yesterday seven living persons were taken from the ruins. The ma-jority of those now found alive ara children and elderly persons, who evi-dently did not expend their energies in vain efforts to free themselves. The policy of clearing Measina was inaugurated yesterday with the refusal of the authorities to furuish people with food unless they agree to emhark for other places. This will be done to discourage peasants coming down from the mountains to take advantage of

the mountains to take advantage the free distribution of rations.

AN TRISH CELEBRATION.

Chicago, Jan. 7.-"Nagh Geagh Muir rh"-the night of the big wind in Ire-

Erin"-the hight of the big that land. This historic event, which occurred 70 years ago, was celebrated by Irish-ment the world over with story and song last night. In Chicago, as in other American eities, many an Irish family gathered around the hearthstone and lis-tened to the thrilling tales related by the father or mother of the famous event.

event. Some of the narrators were too young at the time of the big wind to remem-ber the event, but the story has been handed down from father to son, and, it is said, has lost nothing by the trans-mission.

WHY HUMAN DERELICTS ARE DOWN AND OUT

<text><text><text><text><text><text>

MOVING PICTURE

vember, is said to have influenced his rash act A widow and 12 children survive him.

HERO OF YOUNGER-JAMES BROTHERS RAID DEAD

Northfield, Minn., Jan. 7.--Anselm R. Manning, the hero of the Younger-James brothers' raid here over 31 years ago, dropped dead yesterday of heart disease. When the raiders began shooting Manning took a gun from his hard-ware store and wounded Cole Younger and shot Bill Stiles through the heart.

EXAMINATION FOR POSTMASTERS

Washington, Jan. 7.—Regulations governing examinations which are nec-essary to carry out President Roose-velt's recent order classifying postmas-ters in fourth class postoffices in south-ern states, were announced today by Postmaster General Meyer.

When a vacancy occurs at an office where the salary is less than \$500 a sim-ple examination will be held by the cl-vil service commission at the nearest post. A higher scholastic test is required when a vacancy occurs in more important offices paying more than \$500.

BATTLESHIP FLEET.

Philadelphia Mint Turning Out Medals To Commemorate Its Departure.

Washington, Jan. 7 .- To commemo rate the departure fom Hampion Roads of the American battleship fleet on its tour of the world, the Philadel-phia inini has begun turning out the bonze medals authorized and the presi-dent has given his approval to the specimens submitted to him.

The medals will be sold by the mini for \$1 each, the money thus received being turned into the general fund of the treasury. On one side of the medal is the head of Fresident Roosevelt, while the the

while on the reverse side is a figure of Columbia and three ships.

VALET JONES.

Little Credit Given Stories He Wants

To Retract Confession.

New York, Jan. 7.-Rumors that Chaa. F. Jones, who was valet to William Marsh Rice at the time of his death m 1900, for which Albert T. Patrick is serving a life sentence in Sing Sing, was dying in Texas and was enzious to retract the confession upon which Pa-rick was convicted, are given little redence by Patrick humself. In his cell t Sing Sing vesterday Patrick said to Sing Sing yesterday Patrick said worden that he placed little or

The warden that he placed little or ne-value in any possible statement or con-fession coming from Jones. He was utable to confirm the report that his brother-in-law. John T. Militken of this city, had been summoned to Toxas by Jones. It seems likely that the talk of a con-fession of Jones originates with the ac-tivity of Patrick's remaines here, who are renewing their endeavors to bring about his freedom. Patrick himself asys that further efforts looking to his release through habees corupus pro-ceedings are to be made soon.

CROKER IN FLORIDA.

MEN WIN A VICTORY New York, Jan. 7.- The moving plo-ture won a victory over Mayor Mcpresident. This money, it was ex-plained, was disbursed in order to assemble the officers on what was deem-ed a proper course, such as at Fort Ethan Allen in Vermont and Fort My-

er in Virginia. "That \$10,000 is a useless expendi-ture," declared Representative An-thony of Kansas. "Those tests could just as well be taken at the posts where the officers are stationed."

where the officers are stationed." "Yes; or riding around a fab-ground." suggested Representative Slayden of Texas. Chairman Hull of Iowa, came to the rescue with a remark that produced langhter. He suggested it would be well to have the officers ride in schools with some one to watch them, as he understood that at the last ride at Fort Myer, "some old colonel had to have Myer, "some old colonel had to have a man on each side of him to see that he stayed on his horse."

At this point Representative Parker of New Jersey, was moved to say: "You know we have decorated 40 old

fellows who are no good, but who are broken down with drink, and that will save the government a lot of money." Representative Carron of Rhode Is-land, expressed a wish that the same test might be applied to members of Congress, whereupon Representative Prince of Illinois, suggested that the secret service would take cars of that.

'as that is what the president wants.

JUDGE CHARGES JURY IN NIGHT RIDER CASES

Union City, Tenn., Jan. 7.-Judge Jones began reading his charge to the jury in the night rider cases at 1 o'clock today. The court's instuctions covering murder in the first and sec-ond degree, is 10,000 words long.

TO INCREASE SALARIES OF FEDERAL JUDGES

Washington, Jan 7.-Senator Clark of Wyoming yesterday introduced an anendment to the legislative, executive and judicial appropriation providing for an increase in the sularies of the jus-tices of the federal courts. The bill faxes the salary of the chief justice of the supreme court of the United States at \$15.000, while the salaries of the as-markial of the supreme court is to re-neite \$2.500. The 29 judges of circuit courts are to receive \$10,000 each, and the M judges of disertor courts is to each.

ench. The committee on judiclary will report the bill favorably for consideration by the committee on appropriations.

SQUADRON OF FOUR MONSTER BATTLESHIPS

Washington, Jan, 7 .- The authoriza-Washington Jan. 7.—The authoriza-tion of an entire squadron of four mou-siter battleships was urged on the house committee on naval affairs when Secy. Newberry appeared before that com-mittee yesterday. Hesides the battle-ships he said, that the navy should be provided with four new acout cruisers, 10 destroyers, four submarines, three-colliers one repair ship one samunition

10 destroyers, four submarines, three colliers, one repair ship,one ammunition ship and two mine laying ships. Secy. Newherry told the committee that the new hattleship chould be of the heavy single caliber all-big-gun type, and added that it was destrable that a squadron of eight of these ships be computed as even as reaching. completed as soon as possible.