10 PAGES-LAST EDITION

TOMORROW IS NOT SO GOOD AS

HARRY K. THAW IS STILL INSANE

Such is Decision of Mr. Justice Morschauser of the New York Supreme Court.

APPARENTLY HE IS RESIGNED

Until Recommitment Papers Are Signed He Will Remain in Sheriff's Custody.

Effort to be Made to Have Him Con fined in Another Asylum Than Matteawan-Too Dangerous.

Poughkeepsie, N. Y., May 25,-Harry Thaw has accepted apparently with tion the decision of Supremi et Justice Morschauser that he is insane and that the interests of public will be best served by deng him liberty. Pending the signing the papers of re-commitment which obably will not be done before a week m next Saturday, Thaw will occupy eriff Chandler's suit in the county ilding here. In the meantime, an eft will be made by Thaw's attorneys induce Dist. Atty. Jerome to con it to the commitment of the prisoner ne of the state hospitals other than nteawan. It is said that in event Mr. Jerome giving his consent to ch a change no appeal will be taken om Justice Morschauser's decision en if an appeal were taken it could ot be argued before fall.

THE DECISION

Upon application duly made, a writ f habeas corpus was allowed by which larry K. Thaw was directed to be prouced in court. In the petition, it is lleged that said Thaw is illegally imrisoned and restrained of his liberty y Amos T. Baker, acting superintenby Amos.T. Baker, acting superinten-dent of Matteawan State hospital, a state institution for the insane. Thaw's detention is attacked upon the

First—Inat he is now sane, Second—That the act under the pro-sions of which he was committed and stained is unconstitutional and the ourt was without jurisdiction to issue rder of committment and such or-

the order of commitment and such order was null and void.

The return to the writ alleges that said Thaw is now insane and that the statute providing for the confinement of said Thaw is constitutional and valid and that the court had jurisdiction to make the order of commitment. The pake the order of commitment. eturn is traversed by the relator.

THAW'S COMMITMENT.

The events leading up to the com-

Or June 25, 1906, Thaw shot and killed one Stanford White. He was indicted for this act in the county of New York and the indictment charg-ing him with murder in the first degree. On Jan. 23, 1907, he was brought to trial on this indictment, during the progress of this trial, application of the district attorney er section 658 of the code of crim-l procedure, a commission was duly ppointed to ascertain whether at the appointed to ascertain whether at the time of the trial said Thaw was in a state of idlocy, lunacy-or insanity so as to be incapable of rightly understanding his own condition, the nature of the charge against him, and of conducting his defense in a rational manner. The commission afterwards returned to the court that it was their opinion that at the time of their exumination, said Thaw was sane and was capable of understanding his as capable of understanding his wn condition and the nature of the harge against him and conducting his defense in a rational manner. This conclusion was reached in accordance with the purpose of the statute. The risk proceeded and resulted in a disagreement of the jury. On the 6th of January, 1908, said Thaw was regain tried on said indictment and according to the ground of insuffic tted on the ground of insanity.

Thereupon, the learned justice preing at the trial, upon the evidence
de an order reciting the verdet
it that the court deemed the disinge of said Thaw at that time to
dependency to public safety and diangerous to public safety and di-ng that said Thaw be detained afe custody and be sent to the cawan state hospital, there to be

proof and evidence on the part he respective partles have been presented and the matter has been

DEFENSE AT TRIAL

Thaw, at the time of his trial for nomicide, as a defense, pleaded insulty and presented proof to show his panity at the time of the killing of White and, by the proof offered on his child the trial trials. f, the jury was convinced that he insane and acquitted him upon ground.

satisfied from the evidence adin satisfied from the cyldence ad-lefore me, that the mental con-n of Harry K. Thaw has not sed and I find that he is now in-and that it is so manifest as to it unsafe for him to be at large, review the voluminous cyldence sed on the hearing would unneces-lengthen this opinion, it was committed pursuant to

lengthen this opinion.

w was committed pursuant to
1454 of the code of criminal prowhich reads as follows:
icm 454—When defendant acquitthe ground of insanity, the fact
stated with the verdict—comnt of defendant to state lunatio

n the defense is insanity of the

an the defense is insanity of the dant the jury must be instructed, by acquit him on that ground, to the fact with their verdlet. The must, thereupon, if the defendant custody, and they deem his dis-defended by the defendent of the defendent custody, and they deem his dis-defended by the defendent of the public peace fety, order him to be committed to ate lunatic asylum until he be

he sane.

The question of the constitutionality this law is assailed by the relator that he claims there was no notice on to Thaw of a hearing upon the ostion of insanity, that no hearing a secorded to him; that he has been rived of his liberty without due pro- a of law, and that the statute under ich he was committed does not pro- a method by which his mental conton as then existing, could be legally ertained, or any method by which sanity could be shown.

PECIPLES CONTENTION in that he claims there was no notice given to Thaw of a hearing upon the guestion of insanity, that no hearing Nation. Poughkeepsic, N. Y., May 25.—After his attorney had shown him a copy of Judge Morschauers decision. Thaw succorded to him, that he has been deprived of his liberty without due process of law, and that the statute under which he was committed does not provide a method by which his sanity could be legally discertained, or any method by which his sanity could be shown.

PEOPLE'S CONTENTION.

The beople cantend that Thaw was betterned that Thaw was been deprived of his liberty without due probably because it did not appear to him, he asserted, was not published, probably because it did not appear to the chose to prove upon the trial of the chose to prove upon the trial of the chose to prove upon the trial of the constant of the constant of the signed by Justice Morschauser until as week from next Saturday. In the her suit for annulment of their marriage was mentioned he stood up and indicated that the interview was at an end. His chief theme was the newspaper reporters of the evidence on this trial. Much testimony favorable to him, he asserted, was not published, probably because it did not appear to the reporters interesting, while under the content of the content of the saturday.

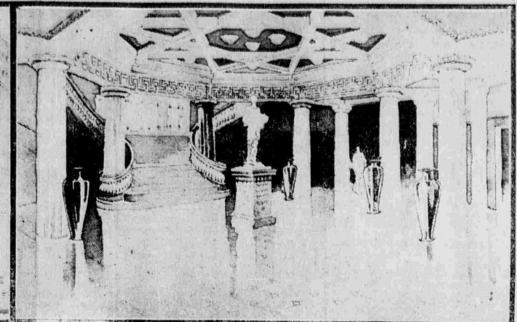
If Mr. Jerome consents Thaw will not appear to the decision. If he does a commitment to one of the state hospitals that the interview was at an end. His chief theme was the newspaper reporters in the vidence on this trial. Much testimony favorable to him, he asserted, was not published, probably because it did not appear to him, he asserted was not published. The decision. Thaw was cheerful for a man who bad just heard bear done on the trial of the reporters an interview and interview and interview and to the reporters with the create of the saturday of the reporters an interview and interview and to the content of the reporters and when her suit for a man who bed just heard bear done of the saturday.

If Mr. Jerome co

FIFTY-SEVENTH YEAR

LOCAL DESIGN FOR NEW COMMERCIAL CLUB.





FRONT ELEVATION ON EXCHANGE PLACE

ew home for Salt Lake's Commercial lub start their work with brick and stone, it shall be under the supervision of Salt Lake architects, or of New York architects, depends on whether the plans for a building shown above are adopted, or other plans submitted by Henry Ives Cobb of New York, which ave already been published.

The making of the new \$200,000 hom as a center for the west's commercial life has now reached a point where building operations will commence as soon as the building committee, the finance committee, and the board of governors are able to get together in joint session to choose plans for the

indictment that he was insane when he killed Stanford White and if that de-

HAD HIS OPPORTUNITY.

Thaw had the opportunity on the

trial to introduce evidence of his mentai condition at that time, which he did not do; he should have known that the adjudication of the court would follow a verdict of not guilty by reason of insanity; he was represented by able counsel, who urged the jury before whom he was tried upon a charge of homelot to sould have because of homelot to sould have because of her sould be to sould him because of her sould be sould

the authorities and I do not find that this statute has ever been passed upon by any of the courts in this state. It has been in existence and operation for

many years without question, and it is the duty of the court to presume in favor of the validity of the statute un-til its violation of the constitution is established beyond all reasonable doubt, and upon such a determination the result which may follow from one con-struction or another is always a potent

struction or another is always a potent factor and is sometimes in and of itself conclusive.

In construing this statute, it should

be borne in mind that the safety and welfare of the community is of more importance than the freedom of the

It is well settled that where there is a right of an appeal, no court should leclare in the first instance a statute

declare in the first instance a statute unconstitutional unless its unconstitutionality is plain, especially when the statute has been long in force and its constitutionality has never been questioned. This may well be the rule when the effect of a declaration of unconstitutionality would be to free from needful restraint a number of persons of unsound mind of whom it has been adjudged by competent courts that their going at large would be dangerous to the public peace or safety.

The relator claims that the statute does not provide a method by which Thaw can be discharged.

Section 99 of the insanity law provides "any inmate, not a convict, held upon an order of a court or judge in a criminal preceeding, may be discharged therefrom upon the superintendent's certificate of recovery, made to and approved by such court or judge."

NO INJUSTICE DONE HIM.

I believe no injustice has been done to Thaw or will be done to him by depriving him of his liberty until such time as he can be discharged by the method prescribed by law.

Bearing in mind that the usual punishment for the act which led up to the detention of said Thaw is death, or a long term of imprisonment and that by reason of his existing mental condition, I do not deem it proper to allow Thaw his freedom, suffering as he is

Thaw his freedom, suffering as he is from some form of insanity with the possible recurrence of an attack sim-

ilar to that which the jury believed he

was suffering from when he killed Stanford White.

Stanford White.

In view of the existing mental condition of said Thaw, the safety of the public is better insured by his remaining in custody and under observation until he has recovered or until such time as it shall be reasonably certain that there is no danger of a recurring attack of the delusion or whatever it may be.

The writ is dismissed. The order remanding the said Harry K. Thaw can be settled on notice purusant to stipu-

idividual.

on the coast has prevented the call of this meeting, and his return to Sali Lake will be followed immediately by an announcement. The plans above represent an effort of Salt Lake architects to prove that the city's beautifying can be done by the city's brains as well as with the city's materials under other supervision. Ware & Treganza, who submitted them, have made careful detail drawings showing even careful detail drawings showing every

eature of each floor.

The building is designed to be a monumental one, broad and strong in character, and typical of the west. The exterior it is planned to face with white Sanpete stone, with a base course of Cottonwood granite. A main entrance is the only one on the principal frontage, and a basement is to extend out under the sidewalk on

both fromages, this basement to be. ! come one of the club's most luxurious features. In it are to be stipulated plunge and turkish baths, a bowling barber shops, storage rooms, not water heater.

The fact that the Commercial club already owns a marble statue of 'Lydia, the Blind Giri,' has been 22-foot se made the motif for the floor, for an octagonal rotunda is planned as a proper setting for the statue, a row of columns, forming a colonade inside of which stairs to basement and second floor are located, the whole design being in Pompeian styles to be in keeping with the suggestion from the statue, which is a central figure in the rotunda.

the rotunda.

ROTUNDA ON THE MAIN FLOOR

also check rooms, a stranger's room, a buffet and cafe apartments, but not the main banquet hall, which is placed on the third floor with a seating capacity of 450 persons, a stage, stage arrangements including dressing rooms, and an orchestra platform on a mezzanine floor above. A 22-foot ceiling treated in Georgian style form on a mezzanine floor above. A 22-foot ceiling treated in Georgian style makes up the banquet half's principal decorative scheme, while on the mezzeine floor is located a ladies' dining or is located a ladies' dining and four private banquet halls up to 16 persons, as well as e kitcheus, designed after a study of the kitchen arrange-of clubs east and west, and a not of their failings by the dif-lub managers. The third floor course of Cottonwood granite. A main entrance is the only one on the principal frontage, and a basement is to extend out under the sidewalk on

with a great roof garden for midsummer entertainments, this garden reached from the sixth floor by a staircase. The entire construction is to be fire proof with a steel skeleton, roinforced concrete curtain walls and concrete floor slabs.

In the interesting contest this one set of local plans is matched against the set from Mr. Cobb which has hung in the Commercial club's lobby for several months, and discussion is rife in the club concerning bothe sets, with tide of sentiment hardly yet towards either set, while both are being carefully studied for a comparison of points.

automobile and considerable damage would undoubtedly have been done but for the presence of mind of a young man who jumped onto the running

for the presence of mind of a young man who jumped onto the running board of the big machine and pulled and hauled at the levers until the auto was brought to a standstill.

Dr. and Mrs. Benedict started out for a ride yesterday morning but stopped at the physician's office for a few moments. Dr. Benedict left his wife in the machine while he went into the office. Shortly after his departure the machine started down the street. A young man jumped onto the running board and tried to induce Mrs. Benedict to jump but she refused to do so. The auto was making good headway and was headed for a pole when a young man rushed into the street. (limbed onto the runnway machine and brought it to a stop.

THIEF GOT CLOTHES.

L. S. Parry, 17 south First West street, reported to the police this morn-ing that a brown suit of clothes had been stolen from his place by a sneak thief. The police are in hot pursuit.

FUNERAL OF GOVERNOR JOHN SPARKS OF NEVADA

Washington, May 25.—The Utah delegation will leave for home immediately after adjournment. The senators were hopeful that they would be able to start Saturday night, but owing to differences between the house and senate, it is not likely that Congress will adjourn before Wednesday at the earliest. But by the end of the week Utah statesmen will be very scarce in Washington. The two senators and Mr. Howell now contemplate returning direct, but one or more of them may possibly drop off in Chicago to attend the Republican convention.

The action of the house Saturday in refusing further conference on the Smoot-Mondell dry farm homestead bill has killed that measure for this session.

Senator Smoot had a consultation with the president Saturday afternoon, and Mr. Roosevelt expressed himself as favorable to the Smoot provisions in that joint measure, which, by the way, were features of the original bill, which passed the senate. The senator said to the "News" correspondent today that at the business sounded taps, and the business of neurons the funeral of thousands of mourners the funeral of the lete Gov. John Sparks of Nevada was held this afternoon at 2 o'clock on the portice of the Elks' home in this clity. The services were conducted by the officers of the Elks' home in this clity. The services were conducted by the officers of the Elks' home in this clity. The services were conducted by the officers of the Elks lodge. Supreme Judge Frank H. Nortross delivering a beautiful enloy over the remains. Following the services at the Elks' home, the funeral cortege formed and while all the bells in the city tolled in misson the remains were escorted to the Masonic cemetery and placed in a friends.

All business houses in the city are closed and the entire city draped in mourning. Special trains brought hundreds of people to Reno to witness the surface of the state police, county of friends.

All bus

IMPORTANT NEWS OF MURDERESS BELLA GUINNESS

Laporte, Ind., May 25.—Mayor Darrow and his law partner, H. N. Worden, who represent Ray Lamphere, charged with the murders of Mrs. Belle Guinness and three children, are greatly excited over the receipt of a letter from a man in Arkansas, whose name they decline to make known, who gives information which they consider of much importance. The writer is known to the mayor, having formerly lived in Marshall county, this state, and credence is placed in his statements.

This man declares that Mrs. Guinness escaped in man's clothing and that he on May 6, five days after she was burned to death, according to the official statement of Coroner Mack, received a letter from her. He says he will produce this letter and turn over to officers other letters and will also give additional information regarding her. He will be personally interviewed by the officers either in Laporte of at his home in Arkansas.

his home in Arkansas.

New York, May 25.—Heidelbach, le-kelhelmer & Co., engaged \$250,000 today in gold for export to Germany. The Na-tional City bank announced an addi-tional engagement of \$300,000 bringing the total since the movement began to

HELD FOR POSSIBLE MURDER.

Denver, Cole. May 25.—Howard Lemonds, of Frederick, Okla., is in jull here rending investigation into the death of James J. Rosengren, porter at the Columbia hotel, who was found dead in Lemonds' room in the hotel yesterday from a builet wound in the hand. Lemonds denies the killing, but admits that the revolver found in the room, and from which a shot had been fired was his property. When first arrested the police say, Lemonds stated that Rosengren had called him an offensive name, but persisted afterwards in the claim that he did not shoot him.

ACCEPTED WAGE REDUCTION.

Fall River, Mass. May 25.—The new wage agreement between the cotton manufacturers and the textile council which will be in force until next November, became effective today. Under the agreement the 25,000 operatives accept a wage reduction of 17,94 per cent. The mills here have been ruening on short time but it is expected that the production will be increased.

CONDUCTORS DID DYNAMITING

In Cleveland Street Car Strike They and Motormen Blew Up the Cars.

FOUR OF THEM CONFESS FACT

They Are in Custody-Other Arrests to Follow-200 Strikers Return to Work.

Peace Hangs on Result of the Vote of The Non_Union Employes Now at Work.

Cleveland, Ohio, May 25 .- According to a statement given out by Chief of ductors and motormen have confessed to taking part in the dynamiting of street cars in various parts of the city ast week. These men are now in cus-

It is also said that a number of other arrests in connection with the dynamite outrages will be made today. Cars on nearly all the lines were op-

erated on practically normal schedules oday. No trouble of any kind has been reported.

Peace hangs upon the result of the rote of the non-union employes now it work, which was taken early to-lay upon orders of President Dupont, of the traction company. It the vote of the non-union men is in favor of heir taking an equal chance with the their taking an equal chance with the old employes for places before the board of arbitration, then the strikers will go back to work immediately, taking places secondary to the present motormen and conductors, until the arbitrators adjust the whole situation. It is not considered improbable that the vote will be favorable and the strikers will return to work today, thus ending the strike.

The state board of arbitration who are acting as meditators between the strikers and the company resumed their work with the two committees, one

work with the two committees, one from the strikers and one from the company, today, in an effort to name the third arbitrator

Following the vote of Saturday, over 200 strikers voluntarily returned to work yesterday.

PRESBYTERIANS AND COLLEGE EDUCATION

Kansas City, May 25,-Education and the relation of the church to freedmen were among the important subjects considered today by the general assembly of the Presbyterian church in the United States of America. Rev. J. S. Dickson, secretary of the college board of the church, in discussing educational work, said:
"In 1889 only 8 per cent of the men in theological seminaries were from denominational colleges. In 1998, in

10 instances, only 6 per cent were from undenominational colleges. That is the result of the work that has been done by the college board."

Rev. J. Ross Stevenson, vice president of the college board, said that 85 per cent of the foreign missionaries come from denominational colleges. "We are a college building church and not a cathedral building one," he said. "But is the result satisfactory in the educational sense? I quote from an eminent authority when I say that our religious education in America has been the most ineffective, the most unintelligent, and the most haphazard possible. It was this condition which brought into existence haphazard possible. It was this con-dition which brought into existence

COAL MINERS' SCALE AND AGREEMENT SIGNED

Eansas City, May 25.—Representatives of the southwestern coal operators and miners met here today and formally signed the working scale and agreement governing conditions in the mines for two years to come. The terms are practically the same as existed last year. The signing has the effect of sending 35,000 coal miners of Kansas, Missouri, Oklahoma and Arkansas fields back to work.

T. L. Lewis, president of the United Mine Workers of America, left here last night for Indianapolis. last night for Indianapolis.

METHODISTS ELECT BISHOP ON 10TH BALLOT

Baltimore, May 25.—Rev. Dr. William A. Quayle, pastor of St. James' church, Chicago, and a lecturer and author of wide repute, was elected bishop on the tenth ballot at the general conference of the Methodist Episcopal church, thus breaking the deadlock which has existed since the second ballot. The vote, which was taken last Saturday and counted today, resulted as follows: Total, 734. Necessary to a choice, 428. Rev. Drs. William A. Quayle, Chicago, 519; Wilson S. Lewis. Sioux Clly, Iowa, 483; Homer C. Stuntz, Madison, N. J., 458; Charles W. Smith, Pittsburg, 444; Robert Mcintyre, Los Angeles, 289; Edwin H. Hughes, Greencastle, Ind., 274; Dayld Downey, New York, 317; Jos. B. Hingley, Minneapolis, 168; Daniel Dorchester, Jr., Phtsburg, 160; Bichard J. Cooke, New York, 144; M. C. B. Mason (colored), 138; Henry C. Jennings, Cincinnati, 126; Charles L. Goodell, New York, 131; Frank M. Bristot, Washington, D. C., 167.

Another ballet was taken for the remaining bishops yet to be named and consideration of the report of the continues on education which formulated the details of the re-organization of the board of education, freedmans expected and Sunday school departments into three separatic societies was resumed.

There was no election of a bishop on the cleventh ballot at the Methodisi Episcopal general conference.

FATHER LUBELEY RESTING.

St. Louis, May 25,—Roy, Father Joseph Lubeley, who was brought to St. Mary's infirmary after having been stabled by Jos. Schatte immediately following church acryless at Salisbury, Mo. Yesterday, was reported by his attendants today to be resting comfortably. He is kept as quiet as possible and unless unlooked for complications arise, it is believed he will be able to leave the hospital within three weeks.

UNLOADED RIFLE IN BOY'S HANDS

killed Stanford White and if that defense was successful and the jury acquitted him of the charge against him on that ground, it became the duty of the court, if it deemed his discharge dangerous to the public peace or safety, to order him to be committed to the state lunatic asylum until such time as he should be legally adjudged sane. He had the right to appear in person and to be represented by counsel and he had the right to introduce evidence of his present sanity. he had the right to introduce evidence of his present sanity.

If, upon all the evidence and the verdict of the jury, the court should decide his discharge to be dangerous to the public peace and safety, and commit the defendant to an insane hospital until sane, under the provisions of section 454 of the code of criminal procedure, and Thaw having had this opportunity of a full hearing, this right to be present in person and by counsel, this right of offering proof in his own behalf, there was no violation of article 1, section 6, of the constitution of the state of New York, nor of article 14 of the United States Constitution. When Trigger is Snapped Frank Gilbert, Age 10 Years, Falls Bleeding.

WOUNDS ARE NOT SERIOUS

Two Nerves and Big Artery Are Sev ered, but Prompt Attention Will Result in Victim's Recovery.

"Is your gun loaded?" asked 10-yearold Frank Gilbert of Lawrence Dyett, a

companion, late yesterday afternoon.

Receiving a reply in the negative, young Gilbert said, "Then shoot me." when there was a fizz and crack, and a bullet entered the neck of the self-ap-pointed target. Like so many instances of a weapon that was not loaded, the consequences were most serious. The ball struck the Gilbert lad in the side of the neck, and penetrating rather deeply lodged in the cervical vertebrae. In its course two nerves were pierced that extend to the left arm, and so damaging was the have wrought in the veins and arteries that the boy ould doubtless have bled to death but for the prompt surgical attention that

was secured. Dr. Ross Anderson was summoned, and he at once began the task of ticing the vessels, to stop the profuse flow of blood. It was found that the jugular vein had not been touched, neither any other vital organ.

The boy was taken to the L. D. S.

other vital organ.

The boy was taken to the L. D. S. hospital. and there he spent a very comfortable night, despite the serious wound. It is the opinion that his recovery will be rapid. He is a son of Mr. and Mrs. M. J. Gilbert of No. 2 Kendall terrace. The father works at Bingham, and the parents of young Dyett reside at \$54 west Seventh South street.

OVER KOOTENAI FALLS.

Three Young Men Swept Over Then

Portland, Or., May 25.—A special to the Oregonian from Spokane, Wash., says that John Sharpless, John Miles and a young Englishman named Rich-mond, all of Nelson, B. C., were swept over the falls in the Kootenai Kiver to-day and perished. Their bodies are missing. It is believed that the men either missaleuisted the force of the either miscalculated the force of the current or an oar broke and they lost control of the boat. Sharpless and Miles were well known men.

BODY FLOATING IN BARREL

New York, May 25.—The body of an unidentified woman, supposed to have been murdered, was found today floating in a barrel in Little Hell Gate between Ward's and Randall's islands. The woman's eyes were discolored and her nose was bruised. Nearby is Thomas Jefferson park, where many Italian outings are held.

perts because Jerome knew how to make it interesting. He said: "Take, for instance, Dr. Jacoby, Hi-direct testimony was conclusive, but

make it interesting. He said:

"Take, for instance, Dr. Jacoby, His direct testimony was conclusive, but not interesting. His cross examination under Mr. Jerome was interesting and the newspapers printed it. Probably I should have done the same as the reporters in the same position."

Thaw did not discuss the action of the court. He said that Mr. Jerome had done what he had deemed his duty.

Asked about the report that Evelyn Thaw would withdraw her annulment suit in order to try to have herself appointed custodian of her husband's property. Thaw said he had no fear of any such action. Thaw was cheerful for a man who had just heard bad news.

Mr. Graham said that the order for re-comitment would probably not be signed by Justice Morschauser until a week from next Saturday. In the meantime, efforts will be made to induce Mr. Jerome to consent to Thaw's commitment to one of the state hospitals other than Mattewan.

WHITMORE ON TRIAL. He is Charged With the Murder of His Wife Lena. New York May 24,-What is expected

o be the final scene in the so-called Lampblack Swamp mystery was begun in Jersey City today when Theodore : Whitmore of Brooklyn, was placed on trial charged with the murder of his wife, Lena, whose nude body was found in the swamp five months ago and lay unidentified for more than a week. Through pieces of clothing found floating in the bay, the body was finally identified. Whitmore when summoned, said he did not believe the body was that of his wife, but subsequently he made the identification complete. He has declared that a fair trial would completely vindicate him.

The testimony is expected to develop a sensational story regarding Whitmon's life. William Bartlett, who claims to have an intimate knowledge of some of the details of Whitmone's life, has been held, together with four other important state witnesses in the Hudson county jail for some months.

The selection of a jury was effected within 45 minutes after the case was called. Whitmore of Brooklyn, was placed of

PRESIDENT FALLIERES VISITING ENGLAND

Dover, May 25.—The French cruise Leon Gambetta, with President Falliere and the members of his party on board arrived here from Boulogne shortly after 1 o'clock this afternoon. The presidential visitors were given an enthu slastic naval welcome from the assembled British ships of war, under the command of Lord Charles Beresford.

VISITS OF STATE. VISITS OF STATE.

Paris, May 25.—The series of important visits of state this summer which include the visit of President Falliers to Scandinavia and St. Petersburg ar King Edward's visit to Emperor Nicholas, were inaugurated today with the projection Falliers for Lo. King Edward's visit to Emperor Niclolas, were inaugurated today with the departure of President Fallieres for Lordon. The president accompanied beforeign Minister Pichon traveled on special train to Bologne, where the party will embark on the French armore cruiser Leon Gambetta for Dover.

Great preparations have been mad on the other side of the channel to giv President Fallieres a reception worth of the cordial relations existing betwee the two countries.

of the cordial relations existing betwee the two countries.

The Anglo-French press comment with enthusiasm on the impending political results of these visits in cementing the Anglo-French-Russian under standings, which how are regarded a most as a new "triple alliance."

EFFORT TO TRY AND AGREE ON CURRENCY QUESTION

Washington, May 25.—The postponement of the final adjournment of Congress has had the effect of causing a renewal of the efforts to bring about an understanding between the two houses on the currency question. There were no formal conferences today, but there have been some exchanges in views among individual members of the senate committee on finance and the there have been some exchanges in views among individual members of the senate committee on finance and the house committee on banking and currency with the result that an informal proposition has been made for adjustment which would include some of the provisions of both the Aldrich and Vreeland bills. It is now suggested that the house might be brought to accept the emergency bonds provision of the senate bill, provided the asset feature of the house bill in modified form could be incorporated in the proposed compromise measure, it is said that the house would agree to a very strict definition of the character of commercial paper to be used as security for the issuance of currency and the senate has been canvassed to some extent for the purpose of ascertaining whether the proposition would be acceptable. It is realized that it would be quite impossible to secure action in the case of any very stubbors accounting whe very stubbors accounting the very stubbor realized that it would be quite impossible to secure action in the case of any very stubborn opposition by even one or two senators, and it would be necessary to secure in advance practically unanimous consent to the passage of the bill. It also would be necessary to secure almost all the Republican members of the house in support of the measure and it remains to be seen whether this can be done. The plan is still in an incipient state but the next day or two will serve to demonstrate whether it can be put into execution.

G. C. PHILLIP'S TRIAL BEGUN.

Washington, May 25.—The trial of Gaston C. Philip, the millionaire clubman of New York and Washington, and scion of a prominent family who a year ago, shot and killed Frank H. McCaboy, a cab driver, was begun today before Justice Job Barnard, in criminal court No. 2. Vigorous efforts will be made by counsel for the young clubman to substantiate his plea of self-defense, and sensational testimony will, it is said, be brought out by the will, it is said, be brought out by the prosecution.

UTAH DELEGATES **COMING HOME SOON**

Will Start Just as Soon as Congress Adjourns, Which Will Probably be Sunday.

DRY FARM HOMESTEAD BILL

President Was Favorable to the Smoot Measure, and Senator Will Introduce a New One.

(Special to the "News.") Washington, May 25 .- The Utah

bill has killed that measure for this session.

Senator Smoot had a consultation with the president Saturday afternoon, and Mr. Roosevelt expressed himself as favorable to the Smoot provisions in that joint measure, which, by the way, were features of the original bill, which passed the senate. The senator said to the "News" correspondent today that at the next session of the senate he will introduce and push a new bill containing the dry farm double-homestead provision, which was killed by inaction of the house on Saturday, to include the states of Utah, Colorado, Oregon, Montana, Nevada, and Washington, and the territories of Arizona and New Mexico. He is confident that such a measure will meet the approval of the senate, and he knows that it will be approved by the president.

Mrs. H. F. Pyne of Provo has arrived in town to be present at the graduation exercises of the George Washington university when her husband will be given the degree of M. D. Mr. and Mrs. Pyne will then return to Utah.

GOULD OFFICIALS RESTLESS.

Frequent Trips Through Salt Lake Get Railroad Row to Guessing. forth between Salt Lake and the coast in such a restless manner as to indicate the Rio Grande and Western Pacific are to see big changes within the near future. W. S. Martin, assistant general manager of the Rio Grande, is in this city today. Traveling in a private car is Mr. Martin, accompanied by a party of wealthy Englishmen. The party arrived on No. 5 at 1 o'clock today. After registering at the Knutsford a trip around the city began. The Western Pacific will be visited tomorrow, a trip to start at 8 o'clock being planned over the new road. Superintendent Ridgway was expected today, but with the arrival of Mr. Martin it was learned F. A. Wadleigh, general passenger agent had started out for Salt Lake but had returned towards Denver in company with Edwin Gould who is returning from an extended visit along the coast. Vice President Schlacks came out to Sait Lake some time ago with a Mr. Pleming, a heavy English bondholder.

Railroad row says Gould and his agents are showing English investors what is needed on Gould systems and what is to be done with the proceeds of the bond issue declared a week or so ago. forth between Salt Lake and the coast

NARROW ESCAPE IN AUTO.

Quick and Daring Act of Speciator Saves Mrs. Benedict from Injury.

Mrs. C. M. Benedict, wife of Dr. Benedict, had a narrow escape from that the production will be increased.