

hand Aug. 1, 1906. UNUSUAL INCIDENT.

Through an unusual incident in the rurough an unusual incident in the procedure of cases before the court, the defense in this case spent con-siderable time this morning in extensive arguments showing probably the lines on which the defense will make its

New York. Dec. 1.-Thomas Galla gher, a salesman, despite the weight of 69 years on his shoulders has estabseriou lished a record for es injury in the face of complications. Today he is suffering with only a slight scalp wound and a fractured arm although last evening he was hit by a though like and the center of the adjoining track where a car going in another direction struck him. wife, from whom he was estranged, and a daughter. His first wife died many years ago. direction struck him. Two cars, one northbound, the oth-er southbound were approaching when Gallagher, attempting to cross the street, became confused and lost his beed. b'clock this morning and appointed one of their number, A. D. Cutler, chief He was then struck by the head. He was then struck by the of police, to fill the vacancy caused by the death of William Biggy, who was of the other. Picked up by a policeman and sen to Bellevue hospital he was so thank-ful that his injuries were slight that he refused to make complaint against drowned last night in the bay catraz Island. It is understood that the appointment is only temporary, pending the choice of a permanent either motorman. hief.

Struck by Streetcar.

been recovered. Police Commi

dere home.

age

launch.

brother.

the waiters.

ing between Biggy and the prosecution. Out of this has grown charges show-ing the feeling of the anti-graft forces toward Biggy, and charges against Biggy for failure to properly protect his Biggy replied with similar charges against Capt. of Police Duke, who, with against Capt. of Police Duke, why, which Detective Burns, searched Haas in the courtroom and Detective Sergeant Thomas Burke, who was in charge or the prisoner at the jall; but none of the charges has yet been investigated.

Chief Biggy is survived by his second

BODY NOT FOUND.

The police commissioners met at

The waters of the bay and the shore

Commissioner Kiel issued

lines are being thoroughly searched but the body of Chief Biggy has not yet

signed statement today relating to the circumstances connected with the visit

of Chief Biggy last night, to his Belvi-dere home. The commissioner had been notified by telephone to expect a visi-

or, but no name was given in the mes-

HARRY BARNATO LEAVES

When the chief arrived he complained

FORTUNE OF \$75,000,000

Lincoln, Dec. -In the death of

Harry Barnato yesterdav London lost a remarkable multi-millionaire. He was born in the Whitechapel district,

was born in the Whitechapel district, and known there as Harry Isaacs, and was a brother to the late Barney Barnato, the famous multi-million-alre. The two brothers went as vaudeville performers to the diamond fields of South Africa. Harry has left a fortune of \$75,000,000 or more. Harry was as eccentric as his fam-sum brother.

He carried checks for \$300,000 and \$400,000 in his pocket and allowed his \$10 a week clerks to buy him drinks without return. He was al-

ways covered with diamonds like an opera star. He spent thousands of pounds purchasing thoroughbreds, yet if the weekly feed bill exceeded his

imit by a few pence, he was miser-

able. He fought his tailor for amounts like 36 cents and yet spent thousands of pounds for a spectacular dinner at the Gayety hotei at the end of the Russian war. But he would not up

MURDERED BY A JAPANESE.

but four others concerned in the

Kyne was a section foreman

livan, Majors and Deming will be removed as soon as possible to the new cell house where they can scheme away o their heart's content without even being able to accomplish anything. It is believed that the knowledge that escape from the new cell house would be impossible, prompted the convicts to make a desperate attempt to escape be fore the transfer.

Growers' association before the committee on ways and means of the house of representatives, arrived in Washngton this morning. Both are here to protest to the committee against lowring the tariff on wools imported to

this country. Mr. Erickson and Mrs. Bonnemort vill present their case before the com-

ington in a semi-official canacity

"WHITE SLAVERS' FINED.

Duval to pay a fine of \$100 on charge of conspiracy to harbor Mme. Boul-

TWO UTAH MEN TO ATTEND.

A convention of national and state

conservation commissions will be held

in Washington, D. C., Dec. 8, the first

meeting to convene in the IPlasco thea-

of the three members of the Utah rep-

resentatives will be in attendance, namely, Anthony W. Ivins and O. J. Sallsbury. The other member is Prof. Joseph F. Merrill, of the University of

President Theodore Roosevelt will

make the opening address at the meet

ter at 4:15 o'clock on that date.

here.

Utah

west, according to R. F. Sutherland, speaker of the Dominion house of commons. "And now," he says, "the Dominion is in a position to demand some atten-

tion to its natural resources. The re-

and railroads with a view to hauling the great wheat business of the morth-

It is seen by the above that every teacher in the city benefits by the ad-vance in salary allowed by the board; there is not a single exception. And the teachers receiving the smallest sal-aries receive the largest advances. There are four men whose salaries the new schedule does not affect, name-by Superintendent D H Cheitenesen

ly, Superintendent D. H. Christensen, whose salary is \$4,000 per year; Princi-

on which the defense with made re-points. ) In opening for the prosecu-tion U. S. District Atty. Booth detailed the circumstances of the suspension of the Sharp coal company after announcing this reduced retail rate. Warmed some-what by this line of attack that in-cluded railroad company, coal com-pany, and an alleged system among both of controlling the retail market in Sait Lafe, Attorney C. S. Varian, when given an opportunity to open for the defense, launched into his case with such vigor that he had to be reminded, after proceeding to some length, that it was hardly to be ex-pected that the case would be argued before the introduction of testimony. before the introduction of testimony. Attorney Varian admitted to the court that he had laid himself open immediately

this criticism and immediately closed his address to the jury.

### JURY SECURED.

There was little trouble in securing There was little trouble in security a jury to try the case, as neither side had any special objections to offer, and in less than an hour the jury had been made up. On hand to represent the govern-ment were United States District Atty, H. E. Booth and Asst. District

Atty, William M. McCrea, Representing the defendant com-panies were the Oregon Short Line's ney, Parley L. Williams, and C. Varian.

### INDICTMENT READ.

U. S. Dist. Atty. Booth opened for the prosecution, reading to the jury the indictment as the case of the United States against the Union Pacific Coal company the Greenen Short, June comcompany, the Oregon Short Line com-pany, J. M. Moore and Everett Buck-ingham charged with unlawful con-spiracy in violation of the act of Congress to protect trade against unlaw-ful restraint and monopoly. He then narrated the charges to the effect that Sharp had been refused coal after July 22, 1906, because he had cut the retail price which the railroad company and the coal company, whose stock was owned by the railroad company, were

owned by the rairoad company, where trying to regulate in this city. C. S. Varian, in opening for the de-fense pictured the situation as one in which the railroad company had no power over the coal company, which was entirely a separate individual be-fore the law, and in which the railroad company served only as a common carrier with a rate of \$1.75 per ton be-tween Sait Lake and Rock Springs for coal. The coal company with a price The coal company with a price coal. The coal company was a separ-of \$2 per ton at the mine was a separ-ate company, and the total price to the dealer in Sait Lake was the common carrier's freight, plus the cost of the coal at the mines. Atty. Varian coal at the mines. Atty. Varian sketched the car shortage history, the fuel shortage in winter, due to the car shortage, and the effort of the com-panies—both rallroad and coal—to ful-fill a public obligation by getting all the cost monthly formed for the winter oal possible stored for the winter r 1907.

#### CITES SHARP'S AFFAIR.

Therefore, he said, the railroad com-bary had reduced its freight 25 cents a ton and the mine had reduced its celling price 25 cents a ton as a special inducement to dealers, and consumers Thistoch up in summer. The rate, he urged was not to apply at once, but to be a crédit for coal on hand at the rad of summer, Aug. 1. Sharp, he claimed, went ahead selling coal out-right at an immediate reduction of the ight at an immediate reduction of the

# FERRERO LIKENS HORACE TO MODERN PRESS AGENT

And Nearly Lost His Life by Being

Boston, Dec. 1.-Gugliemo Ferrero, the Italian historian, likened Horace, the Latin poet, to a modern time press agent in a lecture before Lowell insti-tute last night. Horace, he said, adver-tised the virtues of wine and thus made the people great users of the beverage. During the course of his lecture, he with

said: "The odes of Horace were not written in striving for literary merit, but for a commercial reason. Vineyards and olive orchards in his time covered practically the whole of Italy. Consequently the people were peaceful and did not want war: because war might injure those industries. of feeling cold and was given a stim-ulant. He was very despondent and complained bitterly of being hounded by the newspapers. He refused an in-vitation to remain all night, and in-sisted on returning to the city in the heared. ndustries

industries. "To realize the position of Horace in his time, imagine one of the great poets of Europe today writing a magnificent poem extolling the use of oplum and the pleasures to be derived from that

### KILLED BY AN AUTO.

drug.

New York, Dec. 1 .- The police are still searching for the chauffeur who drove the automobile which knocked down and killed Mrs. Caroline Layer, an aged woman, at Ninth avenue and Fifty-second street last night. Mrs. Layer, who was 64 years oid, was on her way to church, and was run down her way to church, and was run down within half a block of her home. The woman had partly crossed the street when a big black limousine car bore swiftly down upon her and strik-ing her squarely hurled her violently to the street, causing almost instant death.

death. The chauffeur did not slacken his The chauffeur did hot statisfield in a speed or turn his head, and an on-looker, enraged at the spectacle, made a leap for the machine and succeeded in clinging to the mud guard for a mo-ment. Seeing that he was thus pur-sued, the chauffeur turned on more power, and the would-be captor was brushed off and injured.

## A CLANDESTINE MARRIAGE.

New York, Dec. 1.-After two years New York, Dec. 1.—After two years of silence a belated marriage announce-ment tells that Miss Edith Augusta Forbes, a daughter of Prof. Charles Forbes of the department of physics at Columbia university, is not "Miss" Forbes at all, but Mrs. John Howard Sturge. She and young Sturge were sturge in Yonkers Oct. 27, 1996, but Sturge. She and young Sturge were married in Yonkers Oct. 27, 1906, but because he at the time had not finished his education at Cornell, they kept the

marriage a secret. Sturge formerly lived in Rochester, N. Y., and is 24

years old. His wife is one year young-

## THREE DESPERATE MEN.

Sullivan, Majors and Deming are considered equal to the worst cases in any state prison, and require constant and careful watching. Being locked up, and unable to circulate among the other convicts, they have had plenty of time to think, and they have put in all their thinking powers planning possible and impossible means for escape, Majors is doing life for shooting Police Captain Brown of Ogden, while resisting arrest early in the nineties, while his brother was killed in attempting to escape. Majors has always proven a troublesome prisoner. Not that he would violate prison rules, for he was careful not to do that; but he has lost no time in plotting an escape, and the October break of '06 was partly of his cococting. He failed to get away himself and the break came to naught. He fulfills the western definition of "a

good Indian"-"good" only when dead; and the officers of the prison find it necessary to watch him constantly. Majors is regarded as a cunning wild animal; all attempts to reform him have failed, so there is nothing to do but to keep him shut up, away from his fellow kind, until death claims him. Joe Sullivan, one of the men attempting to escape, is a bad man and is in for life for participating in the murder of Policeman Charles Ford, on the 13th of December, 1907 in front of the Albany saloon on West Second South street, his partner in the crime, and the man who is thought to have been guilty of the real shooting being Joe Garcia, who was killed while resisting Sheriff Emery and other of-

ficers in Seattle a few menths back. Sullivan made his escape on the night of the murder of Officer Ford, and made his way to California and thence by friends was aided in reaching Portland, Or. He was apprehended at Portland and brought back to Salt Lake and was placed on trial for his life for the shooting of Ford, and was found guilty of first degree murder by the jury, with a recommendation to mercy, however, in the verdict. Sullivan was sentenced to life imprisonment in the Utah penitentiary by Judge Armstrong, on April 9, 1908, and began to serve

his term on the same day.

### IMPORTS OF OPIUM.

San Jose, Cal., Dec. 1.-John Kyne, who was murderously assaulted a month ago by Japanese below Gilroy, San Francisco. Dec. 1.—The collector of the port has received orders from Washington to prohibit in future the importation of opium containing less than 9 per cent of morphine or any opium that might be used for smoking. The instructions came from Dr. H. W. Wiley, chief of the food, and drug beneficie of the department of agriculdied at Gilroy last night. His fight against death was remarkable, his head having been beaten almost into a jelly. One of the Japanese is in jail assault are still at large. The hand-car on which they escaped after the crime has never been found. memists of the department of agricul-

sult would be that the United States mittee tomorrow morning. It is un-derstood that they will both urge that would lose the grain business which has meant so much to the northwestthe present schedule be increased rather than lowered as a protection to west-ern wool interests. They maintain that the cost of production has greatly inern states.' These remarks were sandwiched into speech in which Speaker Sutherland

creased since the present tariff was fixed and declare that there is every reason why the duty should be in-creased and none for a reduction. lauded Scotland and the Scots at the annual banquet at the Illnois Society of St. Andrew, which was held at the Auditorium last evening. More than 600 Scotch-Chicagoans were present. Mrs. Emnemort is one of few women

ever to appear before, a congressional committee on an errand of this kind and as representing the sheep industry is the only woman ever to come to Wash-GEN. FRED GRANT FAVORS GREAT BIG ARMY is receiving marked distinction while here. Society, when informed that a "sheep queen" was in the capital, was

Chicago, Dec. 1.-Gen. Frederick D. Grant, speaking at a banquet of the n the qui vive to show her proper at-St. Andrews Society here last night. called attention to the remarkably small army of the United States. He aid it would be of no use at all for Chicago, Dec. 1.—A blow was dealt at the "white slave trust" in Chicago yesterday morning when Judge Bethea of the United States court, sentenced August Duval and Jaques Bouque to pay a fine of \$1,000 each and Marie aggressive warfare.

'Our navy and army should be classd together in that they must work to-gether in the event of war," said he, They would be of use only for de-ensive purposes because of their small numbers. However, we do not care to numbers. mbark on any aggressive warfare. In the present day battles our sal-ration is found in the fact that we do not need such large numbers of soly can hold off an army of almost liers. Take 200,000 trained soldiers and any size. In fact, the greater the num-bers of the opposing army the greater the difficulty in approaching the smallr enemy.

HELMICH, BICYCLIST, ARRIVES IN LOS ANGELES

Los Angeles, Cal., Dec. 1 .-- Robert Helmich, a German bicyclish who accompanied by George Weldon, a Hungarian rider, left Paris carly in July on a trip around the world, arrived n Los Angeles late last night. The Trip was started originally as one only of pleasure, but a New York firm of-fered a prize of \$2,500 to the man who urrived in Paris first after having ridden around the world. Attracted by the prize, An American rider, Henry Fisher, joined the foreigners at New York and entered the race. Helmich is hundreds of miles ahead of his near est competitor, Fisher. Weldon, the Hungarian rider, broke down at Ogden and it will require several day for him

GROUNDS ON WHICH STEVENSON WILL CONTEST

to get a new wheel.

Chicago, Dec. 1 .- One of the charges of political misconduct on which the Democratic state central committee of Illinois, proposes to ask the legislature for a recount of the ballots in the Deneen-Stevenson election for governor is that the judges and cleras of election in

ander had her right hand badly blis-tered and the halr was singed on the right side of her head. She proved to be plucky, however, and heat out the flames as best she could and also turned in an alarm. The apparatus from No. 2 and the steamer and truck from headquarters responded. The truck had to go to Main street and

of the High schoo whose salary is \$3,000 per year; General Supervisor John S. Welsh of the gram-mar department of the grades, whose salary is \$2,000 per year, and General Supervisor Rose Pollock, of the pri-

mary department of the grades, whose salary is also \$2,000 per year. The charge made by the Tribune will deceive none but the most partisan and

prejudiced persons, and its effort mix in religious questions into t chool situation will fall flat.

#### ATTACKS GIUAQUE.

The Herald this morning went out of its way to attack A. G. Glauque, who is a candidate on the non-parti-san ticket of election in the Second ward. This attack was entirely un-called for and Mr. Glauque's long bistory as an honorable offeners a this history as an honorable citizen of this instory as an nonotable citizen of this community and as a public man will be sufficient refutation to the base charges of the morning payer. Mr. Gauque has been a member of the board of education for more than a decade, and his counsel has always been sought by other members of the board who appreciated Mr. Glauque's

board who appreciated Mr. Glauque's worth as a public servant and a man of keen perception and business abili-ty. The ridiculousness of the Herald's charge of "graft" becomes apparent when it is understood that emoluwhen it is understood that emolu-ments of a nember of the board of education amount to \$25 per quarter, or \$100 per year, hardly an item of carefare to attend the board ses-sions. The fact is the men are sup-posed to serve the school course prac-tically without pay, and Mr. Giauque has remained in the board simply as a matter of dity as he has lost money

has remained in the board simply as a matter of duty, as he has lost money by reason of his connection with the board. That any "grafting" could be connected with any of the public con-tracts awarded by the board is also ridiculous, as the records of the board are also open on this point, and they show that every contract for any building or for supplies has always been awarded to the lowest bidder.

- 655

### ALSO ATTACKS MARTIN.

The Herald also took ocacsion to at-tek C. S. Martin, who is the non-artisan candidate in the First ward. Mr. Martin is a business man of standing in the community, and does not need to be defended as to his honor or integrity; and his experience on the board will be sufficient evidence of his ability to cope with the questions which come before the board and to successfully discharge the duties of that position.

## IN THE THIRD WARD.

In the Third precinct the supporters of Mr. Moyle are apprehensive be-nuse of the guarded movements of the "Americans." The Tribune has con-eded the election of Mr. Moyle and this oncession on the part of the notorious sheet does not guarantee that it is not polluted with the same insincerity that marks the other vaporings conained in its columns from day to day vithout end. By this concession, some of Mr. Moyle's supporters believe, he organ of Kearns' rule-or-ruinthe organ of Kearns rule-or-run-or-both policy is planning a bit of characteristic strategy. By conceed-ing Moyle's re-election, it may be the intention of the Kearns crowd to keep the non-partisans at home in their con-idence of Moyle's election. Then, while the Moyle's upperfers are perplay the the Moyle supporters are napping, the "American" contingent will shut an activity to the "hird precinct and run a their voters in such prepondarance that the inactive supporters of Moyie will be overwhelmed. This is the fear

ing indicated, and the presiding offi-cer will be Hon. William H. Taft, pres-ident-elect of the United States. It is not definitely known at this time just how many sessions of the conference there will be, but as many important subjects are to be considered, it is likeby that at least several days will be taken up by the gatherings. Governors and other prominent men from all the states and territories in the Union are expected to be in attendance

WOMAN FIGHTS FIRE.

occasioned at 10:20 this morning by a fire in the Bransford apartments, in

Head" During Blaze This Morning.

Mrs. W. C. Alexander "Keens Her There was considerable excitement

the suite occupied by W. C. Alexan

der, No. 29, on the Third floor. The blaze was caused by Mrs. Alexander cleaning ribbon with gasoline and the friction set fire to the cloth and exploded the dangerous fluid. Mrs. Alex-ander had her right hand badly blis-