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# DESERT EVENING NEWS.

TRUTH AND LIBERTY

12 PAGES—LAST EDITION.

WEDNESDAY, DECEMBER 2, 1903. SALT LAKE CITY, UTAH.

FIFTY-THIRD YEAR.

## The Canal Treaty Was Signed at Panama at 1:33 Today.

### PANAMA JUNTA SIGNS THE TREATY

Foreign Minister Esprilla Brought It from Colon Yesterday, Carefully Wrapped Up.

### WAS NO AMENDMENT TO IT.

Members of Junta and Ministry Took It Into Grand Salon of Palace And Discussed It.

### ONE COPY IN ENGLISH LANGUAGE.

Signed with a Special Gold Pen, Bought for the Occasion, Which Will Be Sent to Washington.

Panama, Dec. 2.—The canal treaty was signed at 1:33 a. m. today.

There were no amendments to the treaty.

Minister of Foreign Affairs Esprilla arrived here from Colon yesterday with the new canal treaty. The treaty was discussed last night.

Rear Admiral J. G. Walker arrived on the same train that brought Senor Esprilla. Senor Arias and Arias, with some of the ministers of the new republic, met the party at the railway station. Senor Esprilla drove into the government palace where the chest containing the treaty was placed on a table in the main office.

At 4 o'clock in the afternoon members of the junta and of the ministry assembled in the grand salon of the palace. The chest and two small tin boxes, addressed to the ministers of the junta and bearing the seals of Minister Bunau-Varilla, were placed on a table in the center of the room. Surrounded by the spectators who were seated about the table, Senor Esprilla opened the chest and withdrew the cotton wrappers, finally bringing to light the treaty enveloped in the Panamanian flag. The document was addressed to the members of the junta by Minister Bunau-Varilla.

### NEWS IN WASHINGTON.

Washington, Dec. 2.—It is expected by the president that the treaty with Panama providing for the construction of the isthmian canal will be returned to Washington within two weeks. The indications now are that the treaty will be transmitted to the senate before the adjournment of Congress for the Christmas holidays.

Senator Cullom, chairman of the foreign relations committee, had a conference with the president today regarding the treaty. He indicated that serious opposition to its ratification would be developed, but expressed no doubt of its ultimate ratification.

When every preparation had been completed for the actual signing of the treaty a government decree was adopted setting forth that:

"Whereas, a guarantee of the independence of the isthmus of Panama has been obtained and

"Whereas, celerity is indispensable to secure an efficient and immediate fulfillment of this obligation on the part of the United States and the junta of the provisional government formed by the unanimous vote of the people of the isthmus and possessing full sovereign powers over the isthmian territory, be it

"Resolved and decreed, that the treaty be approved in all its parts."

### WOMEN ARE BARRED.

House of Lords Says They Cannot Be Lawyers Because of Sex.

London, Dec. 2.—The house of lords has finally decided that women are debarred by their sex from being qualified lawyers in this country. The question arose on the appeal of a Londoner, Miss Bertha Cave, against the decision of the benchers of Gray's Inn, not to admit her as a student for the purpose of being called to the bar. The court decided that there was no precedent for a woman's admission to the Inn of court and no reason to create a precedent. The benchers assert that the statutes of Gray's Inn ignore women as to leave them no power to admit a woman.

### THOMAS ELECTED.

Made President of University Student Body—New Movement Afoot.

At a meeting of the students of the University of Utah, held today, Herbert Thomas was elected president of the student body, receiving 215 votes as against 165 for Brigham A. Perkins, his opponent. The election was not so brisk as that held two weeks ago, there being but 389 votes cast, while on the former date the ballots numbered 442. Mr. Carlson, the former candidate for president, withdrew, leaving Thomas and Perkins to fight it out. The meeting was presided over by H. C. Brown, secretary and treasurer. After the election, Mr. Thomas said the various departments would elect their representatives on the executive committee in a few days.

There is a movement on foot among the college students to effect a separate student body organization, one that will be exclusive of the preparatory school. The matter is being urged by E. J. Claridge, and a meeting will be held next Tuesday to further consider it. The new body will comprise the art, engineering and engineering departments and the fourth year normals, there being about 100 of these students out of a total enrollment at the institution of 730.

### PERRY S. HEATH WANTED TO RESIGN

And This Before the Postoffice Investigation Began But Hanna Prevented Him.

### WAS CHAGRINED OVER NEELY

Government Cases Against Those Implicated in P. O. Scandal Thought Not to be Strong.

(Special to the "News.") Washington, D. C., Dec. 2.—Intimate friends of Col. Perry S. Heath, secretary of the Republican national committee, assert that he would have resigned his connection with the committee before the postoffice investigation started but for the advice of Senator Hanna. Col. Heath, it appears, took greatly to heart the criminal course of his friend Neely, and criticisms to which he himself was subjected when the exposure of the Cuban postal frauds came. He certainly expressed his determination to retire from active participation in politics more than a year ago, but Senator Hanna urged him to remain at his post and he acquiesced reluctantly. It is probable, however, that he will insist upon the acceptance of his resignation as secretary when the committee meets and the prevailing opinion is that he will be succeeded by Col. Harry New, formerly editor of the Indianapolis Journal although New England members of the committee are expected to make a fight for L. A. Coolidge, Washington correspondent of the Boston Journal.

### POSTOFFICE CASES.

There is a growing disposition in well informed circles in Washington to regard the failure of the postoffice department to secure a conviction in the case of Miller and Johns, recently tried in Cincinnati for alleged conspiracy, as an indication that the government's case against others charged with offenses against the postal laws is weak and that they will be secured. As a result of this feeling there has been a revival of the gossip concerning the strained relations between Postmaster-General Payne and some of his subordinate officials.

### P. M. GEN. PAYNE'S VIEW.

At the beginning of the investigation Postmaster-General Payne gave it as his opinion that the less said about the matter the better for all concerned, and he held that the proper method of dealing with those charged with committing offenses was to dismiss them from the government employ and not to air the matter in the newspapers. Other officials of the postoffice department, it was reported, differed with Mr. Payne and insisted that the charges should be ventilated to the fullest extent and nothing should be left undone to bring the alleged offenders before the bar of justice. This view was accepted by President Roosevelt, and as a result a large number of indictments were found against various parties in and out of the department.

### THE STRONGEST CASE.

The Miller and Jones case was selected to come to trial first as it was regarded as the strongest case which the government had, and the accused being acquitted there is little reason to believe that any of the others will be convicted. The case against Machen is supposed to be the next strongest on the government list and yet Machen's attorneys have secured for him a trial, the government asking that it be postponed from time to time. In the case of Harrison J. Barsh, a large number of indictments were found against various parties in and out of the department.

### SENATOR KEARNS COMING.

Senator Kearns will start for Salt Lake Thursday afternoon next. The senator will make a brief stop in Chicago and probably reach home on Monday.

William Richardson of Ogden has been appointed as additional farmer at the Indian school at Grand Forks, Colo.

The secretary of the interior has approved selection of the Central Pacific Railway company of 61 acres in the Salt Lake land district, this tract being within the primary limits of the railway company's grant.

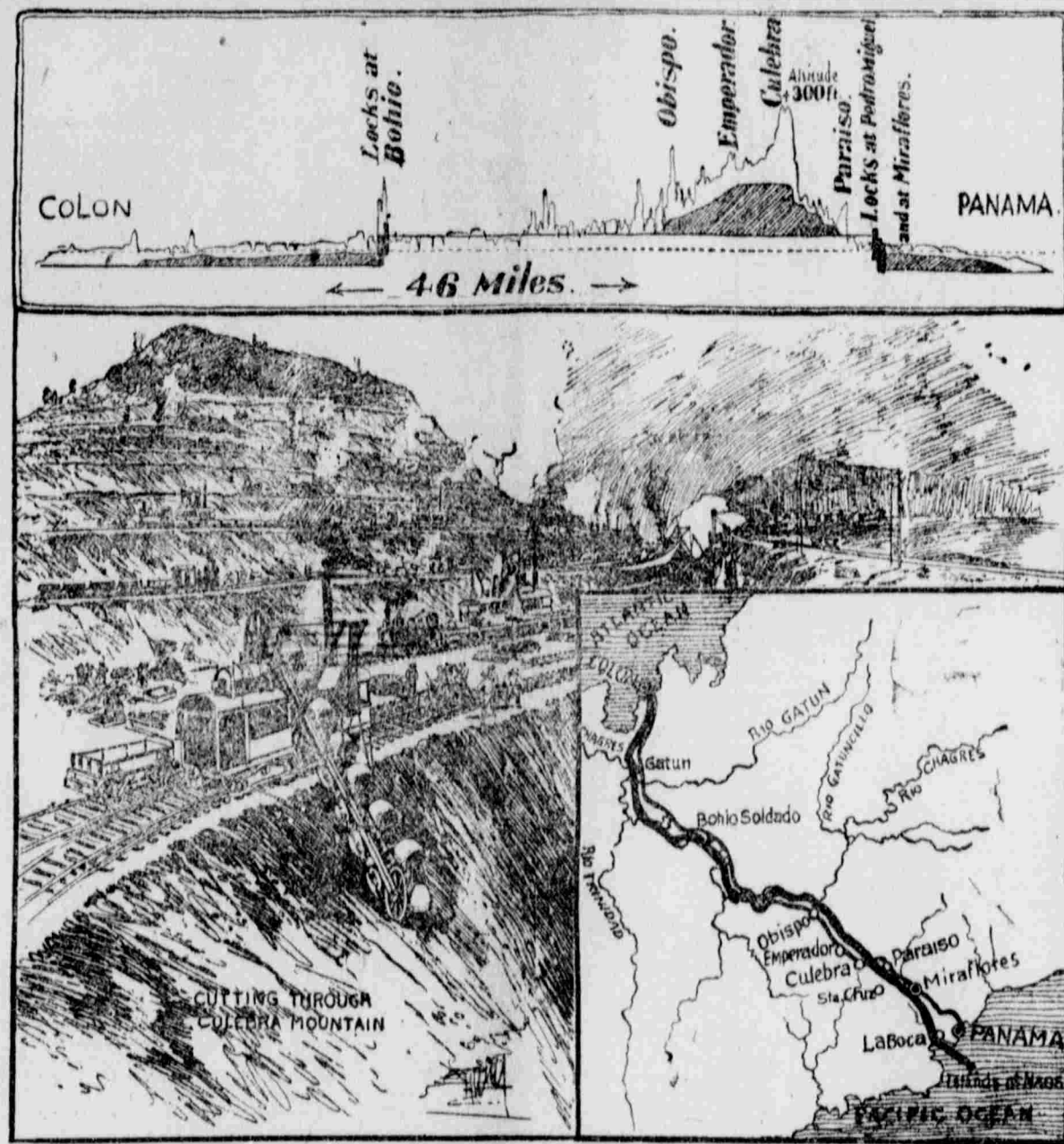
### CHARLES MOSTYN OWEN.

Charles Mostyn Owen of Salt Lake City has opened anti-smooth headquarters in Washington.

### STEWART STILL AT IT.

Discharges J. J. Van Steeter Because He Didn't Vote for Mr. Knox.

The political hand of Health Commissioner Stewart is in evidence again in the health department of the city and another employee has been discharged because of his failure to vote for Mr. Knox in the late Republican convention. The latest victim of the health commissioner is J. J. Van Steeter, a driver of one of the department's garbage wagons. Mr. Van Steeter was a James man in the Republican convention. On Saturday evening he was informed by the post sanitary inspector, Mr. Margetts, that the department could dispense with his services. Mr. Van Steeter has resigned good services during his connection with the department according to the statement of other employees of the department and he claims that his discharge is due to no other reason than that he refused to support Knox in the convention.



THE PANAMA CANAL, A NEW TREATY FOR WHICH HAS BEEN SIGNED.

It is expected that work will be resumed very soon on the Panama canal as the result of the signing of a new treaty by Minister Bunau-Varilla on behalf of the republic of Panama and by Secretary of State Hay on behalf of the United States. The upper portion of the illustration gives a sectional view of the canal route from ocean to ocean, and the map in the lower corner shows the towns which it will touch, most of which, by the way, according to the terms of the new treaty, will be within the zone absolutely controlled by the United States.

### UNIVERSITY OF OTTAWA BURNED.

All That Remains of the Splendid Stone Structure is its Bare And Blackened Walls.

### STUDENTS' NARROW ESCAPE.

Some Awakened in Their Burning Beds, While Several Priests Were Seriously Injured.

Ottawa, Ont., Dec. 2.—The Ottawa university in this city was totally destroyed by fire early today. All that remains of the magnificent stone building, which was one of the sights of the city, are the bare and blackened walls. The loss is from \$250,000 to \$300,000; insurance \$200,000. It will be two years before the building can be rebuilt, and meantime it will be impossible to get a place suitable to carry on the work of the institution. There were 450 students at the university, which was a Roman Catholic institution. Many of the students were from the United States, principally from the New England states.

The fire started at 7 o'clock while most of the students were at breakfast. They escaped easily. A number who were still abed had to take to the fire escapes in their night clothes or jump into blankets held out by the firemen. The fire escaped were all on one side of the structure, and those who slept on the other side could not reach them. They had to jump, some of them from the fourth and fifth stories. Several students are injured but no one seriously hurt. Two priests, however, were seriously injured, and Father Boyon is not expected to live. He was on the first story. He could not reach the fire escape and was forced to jump. He fell on a veranda landing on his shoulder, and afterwards rolled to the ground, striking on his head.

Father Polham, who was on the fourth floor, leaped into a blanket and sustained injuries to his side but will recover. Father McGurty was burned on the head and arms but not seriously injured. An old woman, servant, jumped from the fifth story and was badly hurt. S. Harvey, a student from Brunswick, Maine, awoke only when his bed was on fire. He sprang to the window and climbed outside, hanging the sill for fifteen minutes, when he was taken down safely by the firemen. A student named Cullen jumped from the fourth story with his glasses on and his face was cut. Miss Dupuis, a domestic, was badly injured. The students lost all their effects. It is expected that all will recover except Father Boyon.

### SNOW IN THE NORTH.

The season of fog and meteorological uncertainty has passed by, and the similitude of Liverpool and London mists mornings is no more for the present at least. Clearing weather has come in from the west coast, the day has developed into a typical early winter day, with bracing atmosphere—good weather to develop the appetite. The temperature is moderate in the west. Snow has fallen in the north.

### BANK GUARDED BY DEPUTY MARSHALS

Zion City Shows No Mark of Disturbance Over Bankruptcy Proceedings Against Dowie.

### DOWIETIES NOT DISMAYED.

They Say John Alexander Will Fool Them All; Even Now HeLaughs In His Sleeve.

Zion City, Ill., Dec. 2.—Except at the bank here, no sign of disturbance over bankruptcy proceedings against John Alexander Dowie was visible in this place today. The bank was closed and guarded by United States deputy marshals and by Zion guards, the local police. Otherwise the Dowieties' institutions were being conducted as if nothing unusual had happened.

Behind closed doors in Dowie's private office today Dowie and his attorney met Custodian Redieski and attorneys representing the creditors. The principal object was to plan for the continuation of the various industries. The secret conference is said to have been stormy at times, when Dowie became angered at what he called "presumption" on the part of his opponents.

In Zion City all title to real estate is vested in Dowie. The tract of land on which Zion is built was bought on a five-year payment plan. Several payments are due, the last one falling due Sept. 1, when Dowie paid up the interest and asked for more time on the principal.

Mortgages on the land are held by the original owners, and foreclosure would mean forfeiture of the lots and houses of the followers of Dowie. The followers of Dowie apparently were not dismayed to find Zion City industries in charge of the "unhealed." In passing the bank and seeing the deputy custodian on guard, the Dowieties shrugged their shoulders and smiled.

"Dr. Dowie will make fools of them all," declared one of the Dowieties. "He is laughing up his sleeve at them now."

The policy that might be pursued by the receivers was discussed by ATTY. LEVISON, of counsel for the receivers, and Barnes, Dowie's attorney. "We do not intend to lay paralytic on Zion," said the former. A proposition to make Dowie manager under the receivers appeared to meet with favor on the part of the court officers.

### GOING OVER THE BOOKS.

"Chicago, Dec. 2.—The receivers appointed by the federal court began today going over the books of the Zion industries. Instead of Dowie Federal Custodian Paul Redieski is technically the head of Zion City and in control of its factories employing about 400 persons. Efforts made throughout the night by Dowie's supporters are said to have netted nearly \$25,000 in cash. It was said today that Dowie might come to Chicago without delay to take steps toward doing away with the receivership.

Judge C. C. Kohlsaat, who yesterday appointed the receivers, entered an order today restraining the prosecution of any suits against Dowie pending the results of the receivership appointed for Zion City.

### RESERVOIR FOR STRAWBERRY

State Board of Land Commissioners Considered Ways and Means This Morning.

### TO COMPLETE THE SURVEYS.

The Matter Was Finally Referred to The Attorney General for an Opinion on Question.

The state board of land commissioners this morning considered ways and means of completing the additional expense of completing the survey of the proposed Strawberry valley reservoir project and securing valuable field notes on said survey. Under the appropriation made by the last Legislature the board is authorized to expend \$3,000 upon two reservoir projects in the state, but is not authorized to expend more than \$1,500 on any one project.

The Strawberry valley site was chosen by the board as a suitable one for one of the reservoirs and \$1,500 was appropriated for the preliminary investigations and surveys. The work has already cost \$300 more than the appropriation and it is estimated that it will cost an additional \$200 to complete the survey and secure the necessary notes. This would make a total of \$500 more than the appropriation. So the question which now confronts the board is where to get that money. It was contended at the meeting this morning that the necessary amount could be taken out of the \$1,500 for the other reservoir project, as it had not all been exhausted. The majority of the board, however, was of the opinion that the law would not permit of that being done and it was suggested that the money be taken from the contingent expense fund of several of the state departments.

It was contended that the work should be completed and the public given the benefit of the investigation, and that the legislature would probably justify the board in using the contingent funds to meet the additional expenses. The matter was finally referred to the attorney-general for an opinion as to whether or not the board could use any part of the \$1,500 for the other reservoir in this project.

### FRED HOLMBERG'S FUNERAL.

The funeral of Fred Holmberg, the young man who met his death yesterday at the Portland Cement works, will be held from the Granger ward meetinghouse on Sunday next at 11 a. m.

### MARCHED OUT OF COUNTY.

Sheriff Emery and Deputy Sheriff Steele this morning escorted the band of gypsies, which has been camping near the mouth of Parley's canyon, out of the county. The band pulled up camp and started north and the sheriff and his deputy accompanied it until the line was crossed into Davis county. The gypsies have committed a number of minor offenses since they arrived in this community and the sheriff decided to escort them out of the county.

### MURDER CASE NEARING AN END.

Expected That the Kifford Trial Will be Concluded at a Late Hour This Afternoon.

### HARVEY MADE DIRE THREATS.

In His Opening Statement for the Defense Counsel Points Out That Shooting Was Justified.

The Kifford murder trial will be concluded in Judge Morse's court this afternoon. The state rested its case this morning after the examination of Officer Davies, who arrested Kifford. There were ten witnesses examined by the state at the afternoon session yesterday. Most of them were eye-witnesses to the killing, and testified as to what they saw. The names of those who testified yesterday afternoon are Samuel I. Rice, Jennie McThomas, Charles Nelson, Ella Phelps, Janie Maxey, Milton Rothford, Officer Roberts, Albert Walker, A. J. Stoddard and Thomas Eaton.

After the state rested its case, Attorney Soren X. Christensen made the opening statement for the defense. He told of the bad character of William Harvey, the murdered man, of his frequent threats to kill the defendant Moss Kifford, and of his assault upon the latter a few days before the murder. On Sunday, Oct. 18, he said that Harvey, without any cause whatever, assaulted defendant with a brick and knocked him senseless. He then kicked him and picked up the brick and started to hit him again when bystanders interfered and told him he would kill Kifford if he hit him again with the brick.

The attorney stated that Harvey was larger man than the defendant, and that the latter was afraid of him. On Wednesday, Oct. 21, just two days before the killing, he said that Harvey told Kifford that if he ever caught him at Mrs. Rogers' house again he would kill him. On Friday evening, Oct. 23, Harvey saw Kifford in front of the woman's house on Franklin avenue, and at once commenced to abuse him. He then started away, but turned and made a movement as if to draw a gun from his hip pocket, when defendant began shooting and killed him. The witnesses examined in the defense were John A. Jacobs, Charles Nelson, Alice Rogers, Samuel I. Rice, William Williams and Frank Mitchell.

### HALLIDAY'S DEATH.

Sheriff Bowman Finds it Was Due to Exposure.

(Special to the "News.") Ogden, Utah, Dec. 2.—Sheriff Bowman of Davis county was in Ogden this morning and stated that he had been investigating the death of Henry Halliday, whose dead body was found near the Uintah bridge last Monday. He said he had come to the conclusion that the deceased came to his death through exposure. The sheriff learns that Mr. Halliday left Ogden Nov. 11 and went to Croysden to work, stopping on the way at the roominghouse of Mrs. Sigourney. He was there for some time but was more or less under the influence of liquor. About Nov. 16 or 17 he started towards Ogden and it is supposed he arrived here about the 19th. About this time he seems to have continued his journey, but weakened by the lack of food and exposure to the elements, he must have lain down and passed away. His overcoat was found about half a mile from where he body was, indicating that he must have dropped it shortly before he laid down.

The remains of Halliday are still at Kay'sville, where an inquest will be held tomorrow. The body will be kept till Friday and if no word is forthcoming from relatives by that time, it will be buried at the expense of the county.

### MUST BE SHOWN.

The city council held a meeting last night, when a communication was received from Mayor Giesmann setting forth that the Utah State Journal, of which Frank J. Cannon is editor, had charged that the Twenty-fifth street saloons were low-down dives and dens, where men are robbed and other depredations are committed; also that Rev. Ora C. Wright of the Baptist church had made similar statements, and asking that these gentlemen be cited before the council to prove that their assertions are true, as the mayor claims they were absolutely untrue. The matter was referred to the committee on laws.

A petition was received from the residents of Sewer District No. 3, asking that the city be bonded for sufficient funds to extend the sewer into that district, the same to be paid back by the residents in 10 yearly installments. A communication was received from County Commissioner Joseph Stanford calling attention to the dangerous road on Twenty-fourth street and asking that the same be repaired. The petition was referred to the committee on sidewalks.

### ALL IS QUIET AT COAL MINES.

Wires on the Colton Branch, as Usual, Are Still Out of Commission.

### MEN ARRIVING AT SUNNYSIDE.

Ten More Miners Come in to Work Today and the Number is Increasing.

### REDUCTION ON UNION PACIFIC.

Cut Will be on Price of Coal at the Mines and Not on the Freight.

### (Special to the "News.")

Sunnyside, Dec. 2.—All is quiet in Sunnyside today. The number of men working in the coal mines is steadily increasing. Ten new men came in today and more coming. This morning there were 154 coal diggers at work and the output yesterday was 156 tons.

The wires were out of commission again this morning, between this city and the Colton branch coal fields, so that up to this afternoon, not a word had been received in the offices of the Utah Fuel company in this city, as to the situation below.

### KRAMER IS SARCASTIC.

In making a general reference to the coal strikes this morning, Vice President Kramer remarked on the peculiarity of the fact that one man ventured to dictate to the country just how much coal should be mined, and the prices of the same, where a bountiful Creator had stored an unlimited amount of the coal for all mankind in the hills, to be taken as fast as needed.

### DEALERS AT SEA.

The coal dealers in this city were at sea this morning, as to whether the Union Pacific would make a cut in the wholesale price of coal or reduce the freight rates. Rock Springs coal is selling today at the same price as the other coals by dealers who buy of the Union Pacific company, and they say this will be the price for the present, anyhow.

### NO REDUCTION IN FREIGHT.

It was learned this afternoon, that the reduction on Union Pacific coals would be in the prices at the mines, rather than any reduction in freight. To make the latter would necessitate a reduction of freights all over the system, which could hardly be done. Mr. Stubbs did not stop for a Salt Lake trip, as the train was five hours late, so the party, including Mr. Schumacher and Mr. Monroe, continued on.

### SERGEANT COURT MARTIALED.

First Sergeant F. A. Bull of D. company, First Infantry, is in trouble at Scofield. He was detected, caught flagrante delicto, in the act of taking a shower bath yesterday. He was promptly hauled before a kangaroo court martial and fined 25 cigars; and to be held in contempt of court until the fine was paid. The offender promised solemnly, "S' help me Isaac," never to do such things any more.

### FAMILY ROW.

Thomas Sigourney Throws Two Women Out of Rooming House.

There was a big row at a rooming-house at 72 West Second South street last night, the result of which was the arrest of Thomas Sigourney on the charge of battery.

According to the story related to the police, Mrs. Mary Thompson and her sister called at the roominghouse to see Mrs. Sigourney with reference to purchasing the place. The deal had been talked over before and last evening the women called for the purpose of settling up the matter. Just when everything was progressing nicely, Sigourney put in an appearance and, it is said, seized Mrs. Thompson and her sister and threw them out of the building. He then turned upon his wife, it is alleged, and proceeded to abuse her and his little boy.

The police were sent for and Sigourney was placed under arrest. Mrs. Thompson declared she would file a complaint against him today, but up to this writing she has not carried out her threat. Sigourney told the police that Mrs. Thompson had taken liquor into the house to Mrs. Sigourney, but his statement is not believed, as Mrs. Sigourney did not show any indication of having indulged in intoxicants. On the other hand Sigourney it is said, acted like a man who had been up against the bottle until it had got the best of him.

### Wyoming Oil Lands Sold.

Cheyenne, Wyo., Dec. 2.—The Belgo-American drilling trust has closed a deal for a purchase of the oil wells and lands of the Pennsylvania Oil & Gas company at Salt Creek, Natrona county, and the refinery at Casper. The purchase price is not given.

### Passion Play Actor Dead.

New York, Dec. 2.—A dispatch from Munich, Bavaria, announces the death of Joseph Mayer, ex-burgomaster of Oberammergau, who was famous as the Oberammergau player in the "Passion Play" of 1870, 1889 and 1930, and was the choir leader in the performance in 1900.