

CONSPIRACY TO ASSASSINATE

Charge in Indictment Against
William R. Mason and Joseph Vanderweide.

JOS. A. WALKER THE VICTIM.

U. S. Secret Service Agent, Who
Was Killed at Hesperus Mine
Near Durango, Colo.

Denver, Colo., Jan. 9.—In an indictment returned this afternoon by the federal grand jury William R. Mason and Joseph Vanderweide are charged with conspiracy to assassinate Joseph A. Walker, secret service agent, who was shot and killed by Vanderweide at the Hesperus mine near Durango, Colo., Nov. 3 last. Mason was with Vanderweide at the time of the killing. Vanderweide shot Walker in self-defense after he had fired upon them. No one else was indicted with them on the charge of conspiracy. It is expected that the state will nolle the murder charge against Mason and Vanderweide and turn the case over to the United States authorities. An indictment was returned against J. M. Briggs of Durango, Colo., and J. W. Nossaman of Pagosa Springs, Colo., on the charge of conspiracy to obtain \$500,000 of government land by illegal methods for the purpose of the New Mexico Lumber company. This indictment is of similar import to those returned by the grand jury last summer and recently quashed by Judge R. E. Lewis. Kemp V. Bigelow of Bryan, O., was indicted on the charge of using the mails to defraud. He is charged with sending letters to the local agents of the Adams Express company and the Burlington railroad and to Postmaster Paul Sours in Denver, in which he threatened to wreck a Burlington train unless a large sum of money was left by them at a place designated in the letter. Efforts to capture the writer by means of a decoy package failed, but Bigelow has confessed that he wrote the letters. He was recently sentenced to the state reformatory for an indeterminate term for sending bombs to Gov. Buchtel, David H. Moffat and other prominent citizens from whom he said, when arrested, that he had hoped to obtain rewards by warning them of their danger.

EXTENSIVE TOUR OF A THEATRICAL COMPANY.

New York, Jan. 10.—One of the most extensive tours ever attempted by a theatrical company is now being planned by a party of American players. It is their intention to start in April on a journey around the globe in the course of which they will visit nearly every civilized country in the world. The company will be under the direction of Mark A. Lanucher and will be composed of Dailie, the dancer; Miss Josephine Cohan, Henry Lee, the character actor; Frederick Niblo, the humorist; and one other artist who has not yet been selected. According to the present plans, the party will sail from San Francisco in April, stopping at Honolulu and then visiting Australia, New Zealand, Japan, China, the Philippines, South Africa, Russia, Turkey, Italy, France, Germany and England.

SERIOUS TROUBLE IN ITALIAN SOMILILAND.

Rome, Jan. 9.—News has been received here of serious trouble in Italian Somililand, on the east coast of Africa, which resulted in pitched battles between the Italian forces there and the Abyssinians. A dispatch received today reports a raid by 3,000 Abyssinians near Lugh, the furthest Italian station in the interior of the Abyssinians robbing, killing and imprisoning many of the merchants. Lugh is garrisoned by only about 150 Italian soldiers and the attacking party laid siege to the town. In a number of engagements that followed, both sides, according to the reports, suffered heavy losses. The Italian government has ordered the squadron now in the Red sea to proceed to the coast of Somililand in order to protect the towns along the coast, as the entire territory is garrisoned by not more than 500 natives under the command of Italian officers. At the same time, the government has telegraphed to the Italian legation at Addis Ababa, the capital of Abyssinia, instructing the Italian minister to present a protest to King Menelik against the violation of the statu quo. Italy holds Lugh

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through an arrangement concluded with the sultan of that territory in 1885, which, however, was never ratified by King Menelik, who considered Lugh as a portion of his own territory. Lugh is nearly 20 days' march from the coast. Later dispatches received here indicate that the trouble in Italian Somililand is of a more serious nature than at first supposed. It is learned on good authority that Lugh was besieged by the Abyssinians and destroyed after a desperate and unequal fight and that its defenders were killed. It is believed here that the Italian government is concealing a severe reverse in order to reassure the public for graver news. The importance of the present situation lies in the establishment of the fact as to whether the king of Abyssinia ordered the attack.

REV. CARLISLE P. B.
MARTIN, L. L. D.

Of Waverly, Texas, writes: Of a morning, when first arising, I often find a troublesome collection of phlegm which produces a cough and is very hard to dislodge; but a small quantity of Ballard's Kidney and Bladder Pills will at once dislodge it and the trouble is over. I know of no medicine that is equal to it, and it is so pleasant to take, I can most cordially recommend it to all persons needing a medicine for throat or lung trouble. Sold by Z. M. I. Disp., 112-114 Main Street, Salt Lake City.

Doan's Regulatore cures constipation without griping, nausea, nor any weakening effect. Ask your druggist for them. 25 cents per box.

BRYAN'S OPPONENT.

He Believes That Republicans Will
Nominate Speaker Cannon.

Danville, Ill., Jan. 9.—W. J. Bryan, who spoke tonight at a banquet tendered him by the Bryan Democratic club, declared his belief that Joseph G. Cannon of Danville would be the Republican candidate for president and that he himself would oppose Mr. Cannon.

Mr. Bryan spoke on "The Issues of the Hour," the second speech of the present Illinois campaign, criticizing the action of the administration and suggesting remedies for affairs financial, the curbing of the eastern banks, Wall street, and the centralization of wealth.

His offerings would probably be made light of by the opposition, he said, and he is again referred to as a dreamer, but it mattered not to him.

Mr. Bryan said there was not a plank in the platform laid down at Chicago in 1896 but what was stronger now and that there was not a plank in the Republican platform of that year but what was weaker. Every principle held today by the Democratic party had been vindicated.

CAPT. O. CARTER CASE.

U. S. Judge Kohlsaat Renders Decision
In Favor of Government.

Chicago, Jan. 8.—Judge Kohlsaat, in the United States circuit court, rendered a decision this afternoon in favor of the government in the case against Capt. O. Carter, former United States army engineer, charged with having embezzled \$700,000 of government funds through conspiracy with Contractors Greene and Gaylor.

The court ruled that Carter was not entitled to the \$100,000 in unregistered railroad bonds and other securities traced by the government to safety deposit vaults and banks in various parts of the country. Under the decision the government will retain these securities and through conspiracy with Contractors Greene and Gaylor and the imposing of a penitentiary sentence, is brought to a close. Funds of Capt. Carter, which the government claims were proceeds of Carter's collusion with Greene and Gaylor, are tied up by suits pending in the federal courts of New York, New Jersey, West Virginia, Georgia and Illinois.

GRAFTING NOT PUBLIC OFFENSE

Holding Up of French Restaurants in San Francisco Constitutes No Crime.

SCHMITZ AND RUEF GO FREE.

Trial Judge Dunne Severely Criticizes
The Decision of the Appellate Court
—Honey Will Keep Right On.

San Francisco, Jan. 9.—"The judgment and order are reversed and the trial court is directed to sustain the demurrer to the indictment and discharge the defendant as to such indictment."

This was the decision handed down today by the district court of appeals, reversing the judgment of the trial court in the case of former Mayor Eugene E. Schmitz, sentenced to five years in San Quentin on the charge of extortion, based upon the alleged "holding up" of the French restaurants in the matter of liquor licenses, and setting aside the indictment on which his conviction was had. The trial was made notable by the appearance of Abraham Ruef, the political dictator, who controlled the municipal administration and practically placed Schmitz in office, as a witness against the mayor, testifying that he had paid him his share, \$25,000, of the \$5,000 received by Ruef from the French restaurants in order that Schmitz would permit the board of police commissioners to issue liquor licenses to them. Ruef had previously to this, dramatically pleaded guilty to the same charge, at the same time making the emphatic statement that he was innocent.

GROUND OF REVERSAL.

On the ground that the indictment did not show that a public offense was committed, because it did not allege any threat to injure property, the court holding that a liquor license was not property but mere permission; that a threat to prevent the obtaining of a liquor license by one who had no authority in the premises did not constitute a threat against property, and because of numerous precedents, the ruling of the trial judge—Superior Judge Frank H. Dunne—the appellate court held that the indictment was invalid and the conviction null and void. In effect, the court held that Schmitz was not given a fair and impartial trial.

Among the errors of the trial court as being cause for reversal the appellate court, in its decision, containing about 12,000 words, enumerates the following: That the court, under the prosecution to peremptorily challenge two jurors after they had been accepted and sworn, without any proper cause being shown, or even stated; that the court permitted the filing of affidavits disqualifying the sheriff and coroner as officers to take charge of the jury, and appointed an elisor for that purpose before the affidavits were first served upon the defendant, and refused to allow the defense to cross-examine the elisor named by the court was prejudicial, biased and a personal enemy of the defendant; the admission by the court of the hearsay evidence of five witnesses; that the court admitted the testimony of Ruef in rebuttal when it did not constitute evidence in rebuttal, and upheld the prosecution in improper cross-examination of the defendant, and that the court erred in overruling the defendant's demurrer to the indictments.

NOT A SURPRISE.

While the decision was not wholly a surprise, even to the prosecution, and had been freely predicted by Schmitz's friends for some time, it did not fail to cause something of a sensation, and was the sole topic of conversation today.

The decision will have the effect of invalidating the other four indictments charging Schmitz, as well as Ruef, with extortion, and renders void the plea of guilty made by Ruef, as the appellate court held that no crime was committed.

By this reversal it is feared that the prosecution has lost its hold upon Ruef, and it was freely predicted tonight that the former political boss would now refuse all overtures for immunity, wholly or in part, to testify in the bribery-graft cases, and fight every indictment against him.

Although the court ordered Schmitz discharged from custody on the extortion indictments, neither Schmitz nor Ruef can take advantage of the reversal for 90 days, and even then there is little likelihood that either of them

COMMON SENSE.

Medicine is not of much use to cure consumption. Fresh air and clean living are essential forces to combat the dread white scourge. Every precaution should be employed to prevent the germs from settling on the lungs, and coughs and colds should be neglected. To break up a cold quickly and cure any cough that is curable, mix a half ounce Virgin Oil of Pine with two ounces of glycerine and a half pint of good whisky. Shake well and take a teaspoonful every four hours. Five ounces of tincture of Cinchona compound can be used instead of whisky with the same effect.

This mixture will usually break up a cold over night. Care should be exercised to use only the genuine Virgin Oil of Pine, which is prepared in the laboratories of the Leach Chemical Co., Cincinnati, O., and put up for dispensing, only in 1/2 ounce vials, each securely sealed in a round wooden case. It is better to purchase the different ingredients separately and mix them at home.

will be able to get the enormous bail required for their release. There are still pending against Ruef 136 indictments charging bribery, on which the total bail is \$1,170,000, and Schmitz would have to get bonds for \$450,000 on the 40 indictments that remain against him.

The prosecution has 20 days in which to ask the appellate court for a rehearing of the appeal, and the court has 10 days in which to decide the motion. The appeal would then go to the supreme court, where the same length of time would be required before the decision of today can go into effect.

Superior Judge Dunne, before whom Schmitz was convicted and Ruef pleaded guilty, did not hesitate to criticize the action of the higher court. He said:

TRIAL JUDGE'S COMMENT.

"It is to be regretted that the hearing of this appeal came up before court whose members have relatives and intimate friends among whom many indictments were returned by the grand jury that returned these true bills. In view of these facts, I do not believe that the court was in the proper frame of mind to give this matter an impartial consideration and decide it strictly upon its merits. I am satisfied that the evidence and the law sustained the judgment and the verdict. I will further say that the jury which returned this verdict in accordance with the evidence and the law, will be remembered with respect and honor in the community long after the court which set aside the verdict has been forgotten."

Both Schmitz and Ruef, when seen at the county jail tonight, refused to make any statement or comment upon the decision.

Francis J. Heney, assistant district attorney, who prosecuted the case, arrived this morning from Washington, and left tonight for Portland, Ore., to take charge of the Oregon land fraud cases there. Soon after his arrival he apprised of the action of the appellate court, and a conference that lasted from 2 until 6 o'clock followed in the district attorney's office between Heney, Rudolph Spreckels, who financed the bribery-graft investigation and prosecution; Special Agent William J. Burns, and Dist. Atty. William H. Langdon and several of his assistants. At this conference the effect of the decision of the appellate court was discussed and a course of action was discussed at great length. When the conference broke up, in order to enable Heney to catch his train for Oregon, the announcement was made that no statement would be given out, and that the district attorney's office would adopt a policy of silence in regard to its future plans. Neither Langdon nor Heney would even state whether or not an appeal would be taken to the supreme court from the decision rendered by the court of appeal.

WHAT HENRY SAYS.

"The prosecution has not been embarrassed in the slightest by this decision," said Heney. "There are plenty of other indictments against both Schmitz and Ruef."

"It is not the province of the district attorney's office to criticize the action of the appellate court," declared Langdon. "There are a few other indictments against Schmitz and Ruef which cannot be interpreted as not constituting a public offense. I want to say that the prosecution of the bribery-graft cases will be vigorously renewed and pressed to a conclusion as rapidly as possible. The various rumors and reports to the effect that the cases will be abandoned, and that the prosecution is going to pieces, that are being circulated for the purpose of embarrassing us and creating a sentiment of antagonism and indifference, are without the slightest foundation. Heney may die, but the prosecution will

go on just the same. Tomorrow may die, but not one of the grafters will escape. Just what action was decided upon at the conference this afternoon I am not prepared to say. It was agreed that hereafter nothing will be given out in advance."

A LITTLE JAP WIDOW.

Sues a Chinese Restaurant Keeper for
Breach of Promise.

New York, Jan. 10.—Mrs. Ruth Kim, a pretty little Japanese widow, has brought suit against Jim Fook, a Chinaman who runs a restaurant in New York, claiming \$30,000 damages for breach of promise of marriage. Mrs. Kim's husband was an interpreter and

died last October. Soon after, she says, while she was working in a Chinese restaurant in Brooklyn, where she lives, Jim Fook was introduced to her. He called on her frequently, she declared, and finally proposed to her and was accepted, the bargain being sealed by the presentation and acceptance of an engagement ring. A few weeks later, Mrs. Kim says, Jim Fook induced her to give up her place in the Brooklyn restaurant and become cashier of his restaurant in Manhattan. Then suddenly, she declares, his love grew cold and she discovered the reason for the change was that she found him in company with a former sweetheart, a white girl. She says he later refused to marry her and told her to go back to Brooklyn, which she did. Jim Fook denies that he ever proposed to the Japanese widow and declares that he simply hired her to work in his restaurant.

CHICAGO LABOR SITUATION.

Careful Census Shows There Are 138,950 Idle Working People.

Chicago, Jan. 10.—The Inter-Ocean today says: A careful canvass of the labor situation in Chicago yesterday revealed the fact that there are in the city 138,950 idle working people. There are normally 50,000 men out of work at this season of the year, namely, those whose employment ceased in the winter time, so that the number of men idle as a result of business depression is 88,950.

The Associated Building Trades, with 37 affiliated unions, shows 18,000 out of work, against an absolute scarcity of men one year ago. The teamsters have the next highest number, 15,000 idle men.

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39c Undermuslin Specials	79c White Skirt Specials
CORSET COVERS, handsome deep yokes, ribbon drawn or fine embroidery yokes in endless variety, regularly sold for 65c now priced in this sale at..... 39c	Good quality white muslin petticoats deep lace and insertion trimmed flounce, full width, all length, s regular \$1.35 quality, sale price 79c
LADIES' DRAWERS of good quality muslin made with deep tucked ruffles, regular 55c values in this sale at..... 39c	
GOWNS roundneck and short sleeve muslin gowns, embroidery and ribbon trimmed, full length, regular 85c values go in this sale at..... 39c	

65c Undermuslin Specials	The GLOVE CLEARANCE
SHORT SKIRTS made of good quality muslin, embroidery, trimmed, regular \$1.25 values. Sale price..... 65c	OFFERS REALLY REMARKABLE OPPORTUNITIES FOR SUPPLYING YOUR GLOVE WANTS. AT MOST RADICAL REDUCTIONS. ENTIRE STOCK INCLUDED. NOTHING RESERVED. BUY NOW AND SAVE MONEY.
CORSET COVERS in a variety of embroidery trimmed styles, very good grade of muslin and full cut, regular 85c grade. Sale price..... 65c	Children's Golf Gloves..... 19c
10 DRAWERS, deep embroidery ruffled drawers made of good muslin also lace trimmed styles values that sell regularly at \$1.00 at \$1.25. Sale price..... 65c	Ladies' golf Gloves, 35c quality..... 25c
12 dozen Men's Blue Flannel Shirts regular \$2.50, will close at..... 1.45	12 button imported Kid Gloves, black and white, Mousetaire style, regular \$2.50 quality. Sale price..... \$2.48
12 dozen Sweaters, all sizes, regular \$3.00 to \$4.00, will close at..... 1.85	\$1.25 Celebrated Triumph 2 clasp imported Kid gloves, all colors, in this sale..... .95c
10 dozen Silk Handkerchiefs, regular 75c to \$1.00, will close at..... 49c	
75 pairs Cuff Buttons, regular 75c to \$1.00, will close at..... 39c	
25 dozen Men's Woolen Hose, regular 35c, will close at..... 19c	
45 dozen Boys' Stockings, regular 35c, will close at..... 19c	
125 Umbrellas, regular \$3.50 and \$4.00, will close at..... 2.15	

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250 Suits and 200 Overcoats, \$20.00, will close at..... \$9.75	300 Hats, all styles, regular \$3.50 and \$4.00, will close at..... 2.35	8 dozen Men's Mufflers, regular \$1.50 to \$2.00, will close at..... 99c	18 dozen Sweaters, all sizes, regular \$2.00 to \$2.50, will close at..... 95c	4 dozen Men's Blue Flannel Shirts regular \$2.50, will close at..... 1.45
200 Suits and 200 Overcoats, regular \$25.00, will close at..... \$11.75	200 pairs Men's Trousers, regular \$4.00 and \$4.50, will close at..... \$1.45	15 dozen Men's Golf Gloves, regular 50c to 75c, will close at..... 39c	12 dozen Sweaters, all sizes, regular \$3.00 to \$4.00, will close at..... 1.85	42 dozen Suits Men's Woolen Underwear, regular \$3.00, will close at..... 1.95
300 Suits and 200 Overcoats, regular \$30.00, will close at..... \$13.75	200 pairs Men's Trousers, regular \$3.00 to \$3.50, will close at..... 1.95	15 dozen Suits Men's Underwear, regular \$1.50, will close at..... 95c	10 dozen Silk Handkerchiefs, regular 75c to \$1.00, will close at..... 49c	25 dozen Men's and Boys' Neckwear, regular 25c to 50c, will close at..... 19c
200 Suits and 200 Overcoats, regular \$35.00, will close at..... \$17.75	250 pairs Men's Trousers, regular \$4.00 to \$5.00, will close at..... 2.35	8 dozen Flannel Shirts, regular \$1.00, will close at..... 69c	75 pairs Cuff Buttons, regular 75c to \$1.00, will close at..... 39c	12 dozen White and Fancy Vests, regular \$3.00 to \$4.00, will close at..... 2.15
300 Boys' School Suits, regular \$7.00, will close at..... \$3.85	450 pairs Boys' Knee Pants, regular 50c to \$1.00, will close at..... 39c	12 dozen Men's Shirts, all styles, regular 75c, will close at..... 39c	25 dozen Men's Woolen Hose, regular 35c, will close at..... 19c	400 Boys' Long Pant Suits, regular \$13.00 to \$15.00, will close at..... 8.85
200 Boys' School Suits, regular \$8.00, will close at..... \$2.45	300 Boys' Caps, regular 60c to 75c, will close at..... 39c	30 dozen Men's Shirts, all styles regular \$1.00 to \$1.25, will close at..... 69c	45 dozen Boys' Stockings, regular 35c, will close at..... 19c	
150 Boys' School Overcoats, regular \$12.00, will close at..... \$5.85	ular 75c to \$1.00, will close at..... 39c	12 dozen Men's Shirts, all styles, regular \$1.50, will close at..... 95c	125 Umbrellas, regular \$3.50 and \$4.00, will close at..... 2.15	
100 Boys School Overcoats, regular \$15.00, will close at..... \$3.95	20 dozen Men's Suspenders, regular 50c and 75c, will close at..... 39c			

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