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SECRET EVENING NEWS.

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10 PAGES—LAST EDITION.

THURSDAY, APRIL 20, 1905. SALT LAKE CITY, UTAH.

FIFTY-FIFTH YEAR.

JAPAN HAS NOT RECEIVED A REPLY

One from France on Question of Russian Squadron Using Kamranh Bay Expected Soon.

NO PROTEST WAS FORWARDED.

The Matter Was Broached Through The Regular Channels of Diplomacy.

FRENCH ISSUE GUARD STATEMENT

Asserts Nothing Is Known in Highest French Diplomatic Circles About A Protest.

Tokio, April 20, 5 p. m.—The reply of France to the protest of Japan against the Russian squadron using Kamranh bay has not been received in Tokyo, but is expected shortly.

The statement that the cabinet and the elder statesmen after a conference held, forwarded a protest is incorrect. France was approached through the usual diplomatic channels. The officials here are not certain whether the Russians are still at Kamranh bay, although they were reported to be there yesterday.

STATEMENT BY FRANCE.

Paris, April 20.—No confirmation has yet been obtained of the report that Japan has formally protested against the stay of the Russian squadron in the waters of Indo-China as being a breach of neutrality. The following guarded, semi-official statement was issued:

"Nothing is known in the highest French diplomatic circles concerning the protest which, according to certain foreign reports, has been formally addressed by Japan to the French government relative to the Russian squadron. Furthermore, this squadron has been outside French waters for several days past."

In view of today's press dispatches saying the Russian squadron was at Kamranh bay, the last part of the semi-official statement appears to indicate that Admiral Rojestvensky has withdrawn outside the three-mile limit from the shore line of the bay, which, according to French law, constitutes the open sea.

DECISION HOLDING RAILWAY MAY CONTEST LAND

Butte, Mont., April 20.—A Missoula, Mont., dispatch says an important land office decision, namely, that a railway may contest land, has been handed down here, in the contest case of Jas. D. Watts against the Northern Pacific. Prior to the filing of the official plat of survey of the tract, the Northern Pacific filed selections, including the above land.

The plat of the survey was not filed until May 1, 1904, and on that day Jas. D. Watts made homestead application for the land, claiming settlement since 1896.

The department at Washington ordered a hearing, which was held before United States Commissioner Frank J. Morris, at Hamilton, Nov. 28, 1904, and the register and receiver made their findings from the record. After reviewing the evidence they have come to the conclusion that the contestant, Watts, had not built a residence on the land in good faith and that his claim be cancelled, and that the land filed by the railroad company be allowed to stand as filed.

HOPE ENTERTAINED FOR JOE JEFFERSON'S RECOVERY

West Palm Beach, Fla., April 20.—Dr. R. B. Potter stated today that the condition of Joseph Jefferson was much improved. The doctor says that his patient is making a remarkable gain and that the indications now point to his holding his own for several days at least. Dr. Potter does not express confidence as to the recovery of Mr. Jefferson, but he does say that if the improvement which was perceptible yesterday and which continued today, gradually growing greater, continues, there are hopes that Mr. Jefferson will recover.

KILLED BY AUTOMOBILE.

Brooklyn Police Turn Out to Capture it but it Escapes.

New York, April 20.—Scores of police reserves were turned out in Brooklyn today in an effort to trace an automobile party responsible for the death of an Italian on Coney Island avenue. All the ferries and bridges to New York were placed under extra guard but the automobilists escaped.

and while one telephoned for the ambulance the other sent a warning to headquarters to look out for the car. In 15 minutes this warning had been repeated to the guards at the bridges and ferries and the way to New York had been blocked long before the car could have reached the river front but the fugitives apparently made good their escape.

This is the second instance of the kind within a week, a wealthy Harlem undertaker having been run down and fatally injured a few days ago during the early hours of the morning.

Deaths from Meningitis.

New York, April 20.—Numerous deaths from cerebro spinal meningitis continue to be reported. There were 10 victims in Manhattan alone on Wednesday and the health department would not expect to stamp out the disease until warm weather comes to stay.

Orders have been issued that every place where there has been a case of spinal meningitis shall be fumigated. For the present, however, there is to be no quarantine, nor are children or families in which a case exists to be debarred from school attendance. This matter will be considered shortly, however, by the authorities.

A tenement house in Little West Twelfth street, where five children died within a few days and three others have been stricken, all in two families, is to be vacated. The tenants, eight families, have been notified to leave within 48 hours, their rent being refunded to them. The house will then be disinfected thoroughly by a new anti-powerful germicide.

GOULD NOT GUILTY.

Jury Says He Killed Hammond In Self Defense.

Chicago, April 20.—Convinced that George Gould acted in self-defense when he shot and killed Alonzo Hammond, a jury in Judge Tullihill's court has returned a verdict of not guilty and Gould was given his freedom.

Gould shot and killed Hammond, whom he accused of having alienated the affections of Mrs. Gould. He pleaded self-defense, however, and said that Hammond had been armed with a revolver. The defense showed that Hammond, who was a conductor on the Metropolitan Elevated railroad, had made the threat that he would kill Gould on sight. Gould boarded the elevated train, he said, to seek information from Hammond as to the whereabouts of Mrs. Gould and the shooting which followed was in the presence of numerous passengers.

Capit. Heinrich Tinn Discharged.

San Francisco, April 20.—United States Commissioner Heacock made an order today discharging Capt. Heinrich Tinn, master of the German ship Magdalene, from custody. He was arrested for allowing a member of his crew to desert after being notified that they had been denied a landing by the immigration officers. The testimony did not show that Capt. Tinn committed any offense.

Capt. Schenk of the steamer Luxor was arrested on a similar charge. As he is in a hurry to take his vessel out of port and as clearance papers have been denied him, he pleaded guilty and was held to answer to the charge before the grand jury. The Luxor was scheduled to sail for Hamburg today.

Co-operative Adjustment Ass'n.

Chicago, April 20.—Growing out of the opposition of the wholesale merchants of Chicago to the present bankruptcy law, the organization of a "co-operative adjustment association" has been decided upon. The members of the Credit Men's association, a resolution was adopted directing President McAdow to appoint a committee to investigate the matter and report at a later date.

This adjustment association is to be formed principally for the purpose of settling insolvent estates. In the language of those who urged the plan the formation of such an organization will go far toward doing away with the "evils of bankruptcy proceedings, wherein nearly all the assets are swallowed up in the fees of attorneys, referees and trustees."

The plan advocated provides for the organization of a central bureau managed by salaried men, with two or three attorneys and office assistants. Alliance with other associations also is contemplated, making it national in scope.

Botanical Museum for Berkeley.

Berkeley, Cal., April 20.—Prof. Willis L. Jepson of the botanical department of the University of California, who has been granted a year's leave of absence by the board of regents, will spend the whole of the time in traveling abroad in Europe and the tropics, gathering material for the botanical museum at Berkeley.

The most interesting feature of his visit in the British Isles will be the gathering of California plants which are now extinct here.

In the early days of the European occupation of this continent explorers collected rare specimens of plants now out of existence here. These are now to be found in the museums of London and Dublin, and at the Kew gardens where specimens will be secured by Prof. Jepson.

Snow Levels Telegraph Poles.

Cheyenne, Wyo., April 20.—Tramlines arriving in the city report that every telegraph pole for 30 miles east of Cheyenne and 20 miles south has been leveled by the snow. The Union Pacific has ordered the removal of its lines to restore connections and the dispatching of trains may be carried on.

The snow is the heaviest ever known here and at several points in the city electric light and telephone poles have been broken off by tons of snow and are obstructing the streets.

East Side Observes the Passover.

New York, April 20.—The East Side ghetto scene observed of the Passover has begun and will continue one week. Holiday attire is observable throughout the district, and stores owned by orthodox Hebrews were all closed several hours before the usual time. More than 50,000 persons attended services in the synagogues and then repaired to their homes, where a second service was given and special dishes of the occasion were served to the assembled families and their guests.

NAN PATTERSON SURE OF ACQUITTAL

Says Ten Months and Three Weeks is a Long Time to be Shut Up in Prison.

HER LAWYERS FEEL CONFIDENT.

Claim to Have New Witnesses Who Will Establish Her Innocence Beyond a Doubt.

New York, April 20.—The three lawyers who are acting as counsel for Nan Patterson in her trial for the murder of Caesar Young had a conference with her in the Tombs prison today, at which the plans of the defense and the personnel of the jury were discussed. Lawyers Abraham Levy, Henry W. Unger and Daniel O'Reilly were present. Miss Patterson expressed her pleasure at the composition of the jury, which was completed yesterday, and disappointment at the delay in postponing the taking of testimony until Monday.

"I am sure of an acquittal this time," she told Lawyer Levy, "and every day only adds to my misery in the Tombs. Ten months and three weeks is a long time to be shut up in prison."

Lawyer Levy said today:

"We have new witnesses who will establish Nan Patterson's innocence beyond a doubt. We go into this trial 100 per cent stronger in point of evidence than we did the last trial. We are not going to rely upon the failure of the prosecution to prove its case for an acquittal. We are going to prove the innocence of Nan Patterson."

JOHANN HOCK.

He Wants a Jury of Germans to Try Him.

Chicago, April 20.—Johann Hock, on trial for the murder of one of his wives, Marie Walcker-Hock, expressed a desire today for German jurors to try him. The confessed bigamist already had secured a change of venue to get before a German judge. With a German jury Hock professes to believe that he will succeed in getting his liberty.

Hock's counsel contends that the new indictment voted against Hock is invalid.

The indictment was voted on the request of Asst. State's Atty. Olson, because the name of Mrs. Marie Walcker-Hock was misspelled in the first indictment, which was returned by a grand jury some months ago. The present grand jury heard no witnesses against Hock, it is contended, and therefore was unable to vote a valid true bill against him.

TWO BROTHERS MISSING.

Peter and Wm. Barr Not Seen Since Last December.

Butte, Mont., April 20.—A dispatch from Missoula, Mont., says Peter and Wm. Barr, brothers of four, have been missing since last December. They left the ranch at that time to hunt in the lake McDonald country which is one of the wildest spots in the United States. They were last seen on Jan. 25 at Frenchtown. Relatives fear they have been murdered for their effects by Indians or caught by a snowslide. A search party is being organized.

Order Affecting Mexican Trade.

San Francisco, April 20.—An important order has been issued by Collector of the Port Stratton which may for some time interfere with the shipment of goods to Mexico and Central America, and in some cases may delay the sailing of the steamers for ports in those countries.

The orders are that hereafter no clearance shall be granted to a vessel until the individual consignor's manifests are on file in the custom house. This order is the result of protests filed by the state treasury departments by the Guatemalan consul at this port, who asserts that arms and ammunition are being constantly shipped on steamers leaving this port for Central America consigned to and for the use of the insurgents now fighting against his government.

CRETE AND GREECE.

Chamber of Deputies Unanimously Declared in Favor Union.

Crete, Island of Crete, April 20.—The Cretan chamber of deputies was opened today by Prince George, the high commissioner of the powers, who in his speech declared his readiness to grant every reasonable reform properly proposed. On the withdrawal of the prince the chamber of deputies unanimously declared in favor of the union of Crete with Greece and the deputies proceeded to the palace to inform the prince.

Standard Oil Co. in Missouri.

Kansas City, April 20.—James R. Garfield, commissioner of corporations, and Herbert S. Hadley, attorney-general of Missouri, held a conference here today at the request of the Missouri official, who is pushing an investigation into the Standard Oil company's methods in this state.

Before going into the conference, Mr. Hadley said:

"We have already secured enough evidence to prove that the Standard Oil company has been violating the laws of Missouri in monopolizing the oil products of the state."

Senator Platt Improved.

Washington, Conn., April 20.—In spite of the unfavorable symptoms which manifested themselves yesterday and last night, the condition of Senator O. H. Platt was today somewhat improved.

THE KNOCKERS ORGAN—A BUSINESS ASSASSINATOR.

Total Tribune 1,230
Total Herald 1,647
Total News 7,281

As the reading public is now rather thoroughly aware, these figures denote the respective circulation of the three Salt Lake papers in 40 leading cities and towns including Ogden, Murray, Provo and Logan. The details, town by town, have been printed several times in the "News," as tending to illustrate the low ebb the Tribune circulation has reached since it came out into the open as THE ORGAN OF THE KNOCKERS, and the mouthpiece of the traducers of Utah.

Never a word has the Organ printed questioning the accuracy of these figures. Fifth, abuse, mud-slinging, the outpourings of envy and malice—all these batteries have been unmarked, but as to the truth or falsity of the figures, blank, utter, and enveloping silence.

As further evidencing the blight which has fallen upon the Knocker's out of town circulation, the "News" has just received a document which is interesting. It is a letter from a court reporter in one of the outside judicial districts, who says he has been in the habit of furnishing the Tribune with court reports, but that these reports are only of interest to the people where the court meets, and as so few of them any longer see the Tribune, he sees no use of sending them his notes, and would the "News" care to contract for them in future?

In the meantime the organ of the Knockers goes on with its work of assassinating the interests of the real estate men and countering the efforts of business men to induce newcomers and capitalists to enter the state. Here is a cheerful instance of the result of their work:

Mr. C. R. Savage, the veteran photographer, who entertains many strangers, was called upon at his store recently by a Mr. Armstrong and his daughter, the gentleman being a well-known publisher in New York City. He presented letters of introduction from prominent Southern Pacific people to Mr. Savage, and then astonished that gentleman by asking with some nervousness whether in view of the prevailing agitation it would be entirely safe for him and his daughters to walk about the city alone? Mr. Savage says this is the second occurrence of the kind that has come under his personal notice. What do our business men and our real estate men think of such object lessons?

REPORT OF MEETING.

Mr. Bowes, as chairman of the committee, said:

"I am charged, sir, with a somewhat disagreeable task, the hearing to you of a request from a convention of managers and agents now assembled in the Hotel Savoy, that you voluntarily resign your position as vice president of the Equitable Life Assurance Society of America. We the general agents and managers of the Equitable, assembled in convention from all parts of the United States and Canada, are personally and through our agents in close touch with the people, and knowing the deep-seated convictions of the policyholders, and deeply deploring the necessity for our action, therefore sincerely and earnestly appeal to you, on behalf of the Equitable, to the cessation and up-building of which your father devoted his life, and for the sake of its policyholders and its agents, to set aside all personal interests and now voluntarily retire from the vice-presidency."

"HENRY J. POWELL, Chairman.
"F. A. MCNAMEE,
"FRANK L. LEVY, and
"K. W. ESTES, Secretaries."

MR. HYDE'S REPLY.

Mr. Hyde's reply to the committee was as follows:

"In the first place, I have no intention of resigning the office of the vice-presidency of the Equitable. Such a course I would consider cowardly and disgraceful to the memory of my father. Second, it is evident from your extraordinary request and from the report of the proceedings at your meeting that you have not the remotest conception of this unfortunate controversy, or the motives behind the selfish struggle for the control of the society. I think, however, that you are entitled to know something of the real facts on which my attitude is based, and I will, therefore, write you tomorrow in reply to the request made in this remarkable communication."

"I think, however, that your request might have been far more justified had it been made to those having no interest in the society who precipitated this unfortunate controversy and are keeping the agitation alive to serve their own selfish purposes. You will hear further from me tomorrow."

"Of course, you gentlemen must know that the questions at issue are now in the hands of the department of insurance, and Mr. Frick's committee, who, I think you will agree with me, are the ones to judge. It is fair to them to say nothing further."

"I appreciate how greatly you have been afflicted through the misfortune, but I tell you again that the best way to bring about a satisfactory conclusion for your men, is to remain loyal to the Equitable and not to do anything before the report of the investigation committee in reflection I think that you will be able to see impartially and to judge these matters which now are the subject of controversy in our society."

A DENIAL.

E. A. Woods, general agent of the Equitable in Pittsburgh, said today it was not true, as reported, that he had been offered a vice presidency in the society in return for support to Mr. Alexander and Mr. Tarbell. Mr. Woods also said:

"It has been claimed that Mr. Alexander in his efforts to bring about mutualization was influenced by the fact that he would control the proxies of the policyholders. The public evidently does not know the proposition Mr. Alexander made to the so-called committee of 11. Mr. Alexander told them he would agree to have the proxies of the policyholders sent in and deposited with President Roosevelt, Grover Cleveland, or the president of any six American universities. In the presence of Mr. Alexander, Mr. Tarbell announced his resignation from the platform at one of the meetings."

Justice McLean, in the supreme court today adjourned until April 24 the argument in the suit brought by Henry G.

EQUITABLE LIFE CONTROVERSY.

A Situation that Was Extremely Serious Has Reached a Critical Stage.

COMMITTEE WAITS ON MR. HYDE

He Informed Them He Had No Intention of Resigning—Will Hear Further From Him.

New York, April 20.—Developments in the Equitable Life controversy, including the engagement of Joseph H. Choate as counsel by James H. Hyde, the demand of the organization of general agents for Mr. Hyde's resignation and the institution of proceedings in Louisiana asking for a receivership for the society under the Louisiana law, engaged public attention today almost to the exclusion of other topics. Mr. Hyde made an appointment yesterday to meet today the committee of general agents appointed to demand his resignation. This committee was made up of Joseph Bowes of Baltimore; W. J. Rody of South Carolina; Frank C. Levy of New Orleans; Charles Jerome Edwards of Brooklyn and Charles Wake of New York. While Mr. Hyde agreed to receive this committee, he declared that he had no intention whatever of resigning, and that he regarded the action of the general agents in making such a request as "impertinent, extraordinary, insulting and most preposterous."

A CRITICAL CONDITION.

The demand by the agents for an investigation and the action inaugurated in Louisiana were regarded as making critical a condition which already was extremely serious.

Before the committee called at Mr. Hyde's home, at No. 9 east Fortieth street, Mr. Hyde had a conference with William H. McIntyre, Charles B. Alexander, W. C. Gulliver and Alvin Krech. Mr. Hyde and his secretary, without giving any intimation of what occurred, a stenographic report of everything said at the meeting had been made and was issued by Mr. Hyde later in the day. It was as follows:

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NEW DISTRICTS; NEW TRUSTEES.

The County Commissioners Agree Upon the Appointment of a Number.

WORK WILL BEGIN ON JULY 1.

Much Preliminary Business to Attend To Before New Conditions Go Into Effect.

DISTRICTS ALREADY PROVIDED.

Appointments Come Under Resolution That Was Passed by the Former County Commission.

Russians Discover that Japanese Are Making One.

St. Petersburg, April 20.—A dispatch from Gansu Puss says the Russians have discovered a turning movement 80 miles northeast of Kuangsheng, about 30 miles northeast of Gansu pass by two forces, each of 3,000 Chinese bandits, several thousand Japanese cavalry and 22 guns.

Kuangsheng is identical with Changchun, the extreme right of Gen. Linewitch's main front which extends thence toward Kirin.

Snow May Delay Loeb.

Glenwood Springs, Colo., April 20.—Heavy snows fell during the night which may delay the return of Secy. Loeb from Camp Roosevelt, where he went yesterday to confer with the president. It is expected, however, that he will reach Newcastle by sundown. The snow is soft and is rapidly melting. Hunters say it will not materially interfere with the president's sport.

Steamer America Launched.

Belfast, April 20.—The new Hamburg-American steamer America was launched here today in the presence of thousands of people, including Walter Long, chief secretary for Ireland, and Lord Londonderry, lieutenant of County Down. The vessel is intended for the intermediate service between Hamburg and New York. Her tonnage is about 12,500, with a capacity of 16,000 tons of cargo and about 1,000 passengers and crew.

Russian Embassy to Fez.

Berlin, April 20.—The officers Emperor William has assigned to go to Fez with Count von Tattenbach-Ashold, the special German envoy, to arrange for a special German-Moroccan commercial treaty are of the flower of the service, namely Col. von Schenk, inspector of the infantry school and formerly commander of the First regiment of grenadiers of the guard of which the emperor of Russia is honorary colonel, Maj. Baron von Zenden, who is now with the emperor and who is military attaché at Madrid, and Capt. von Kleist of the general staff of the corps of guards.

Inclement Weather Prevents Practice For These of Friday and Saturday.

Inclement weather has prevented active field practice at the University and High School for the coming contests, and it is doubtful if Cummings field will be in shape for the inter-class meet scheduled at the University for tomorrow afternoon. Saturday the East and West Side High Schools will line up for a dual meet at Cummings field, if the weather permits, and a week from Saturday the University and Provo meet in a dual contest, which will give the first line on the comparative strength of the schools for the big state contest scheduled for May 25.

FIELD MEETS.

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