

During the recess rumors circulated "Section 23 provides that 'all persons developed that Mr. Jerome had asked for a conference of the attorneys with Justice Fitzgeraid. The conference lasted half an hour. Dist. Atty. Jerome looked decidedly angry as he strode to his seat as the court opened, and it was evident that any plan he may have had to release a juror had been blocked by the defense. Later Mr. Garvan, who had been sent If is wand applicable alike to all citi-na." The foregoing requirements are more comprehensive in their terms than is retion 22, in which exclusion on the pound of race, color or previous con-dition of servitude, is expressly pro-bilited. There of the language used in the sec-tions above cited, it is recommended the department of justice with the equasit that it be examined with a view of the examined with a view of the court of original jurisdic-ter." on some mission by Mr. Jerome, re-turned to the court room and all the attorneys were at once called into con-sultation with Justice Fitzgerald. The sultation with Justice Fitzgerald. The conference lasted 10 minutes, and again there was no result, the examination of talesmen being resumed. Juror No. 11 has been excused. When the seventh day's proceedings of the trial of Harry K. Thaw opened this morning it was expected that the one juror necessary to complete the trial panel of 12 would be secured be-fore luncheon, and that Dist. Atty. Jerome would deliver the opening ad-dress of the prosecution before the day was done. A panel of 100 new talesmen appeared this morning in response to the orders issued yesterday. The dethe orders issued yesterday. The de-fendant appeared confident that today would witness the real beginning of his trial and he had evidently steeled him-self for the ordeal of the district attrial and he had evidently steeled him-self for the ordeal of the district at-torney's arraignment. Dist. Atty. Jerome will personally outline the state's case in his opening address. This, it is believed, will be a comparatively brief statement set-ting forth the crime as it is known to have occurred. He will trace the move-ments of Thaw and his victim on the fatal evening, and bring them together in the roof garden of Madison Square, where Thaw deliberately shot and killed Stanford White while the latter sat at a table with some friends watching a theatrical performance. Roger O'Meara, former chief of po-lice of Pittsburg, who has been worg-ing for several months gathering evi-dence in behalf of 'Phaw, arrived in town last night. He is said to have obtained information ar data valuable to the defense, but refused to disclose its nature.

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PRESIDENT'S "INTRUSION."

cution.'

Senator Rayner then pronounced his disapproval of the president for "his intrusion" upon the states, taking for example the note of the president to Gov. Gould of Massachusetts, in which

WILL LECTURE TONIGHT. Mr. Bryan will lecture tonight in the First Methodist church. At 8 o'clock tomorrow morning he will leave for Pueblo, while Mrs. Bryan will remain here with Mr. and Mrs. Frank B. Steph-ens, who have always pre-empted Mr. Bryan on his visists to this city. Sat-urday afternoon the noted Nebraskan will return from Colorado, and will be guest of the local Democrats at an Alta club luncheon, to be tendered him at 2 p. m. Saturday evening he lec-tures in Ogden, and will leave directly for the east, Mrs. Bryan leaving Salt Lake with him. TIME OF ABRIVAL

STATE LAWS NEEDED. "The changes effected are a source of gratification to the legitimate man-ufacturers as they have been annoyed by the competition of spurious, adul-terated articles. Some large firms have retained former prices but a general advance is noticeable in the market. A peculiar advance is that made by manufacturers who have maintained stoutly that their products are abso-lutely pure. I believe a state pure food law is an excellent thing. Utah has one but there are only a few states which have and enforce them. Without such a law the national bill is powerless as a state manufacturer might circulate inferior products in his home state."

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TIME RIPE FOR EFFORT.

nouncement by Dist. Atty. Jerome was that counsel for the state and the defense had agreed to dismiss jurors No.

within the jurisdiction of this state hall be entitled to the full and equal accommodations, advantages, facilities ad privileges of inns, restaurants, ho-its, eating houses, bath houses, bar-ter shops, theaters, musicales, public to subps, theaters, musicales, public coveyances on land and water, and al other places of public accommoda-bn or amusement, subject only to the editions and limitations established water and applicable alike to all citi-

ashington.

## STAGE OVERTURNED.

#### Nent Down Fifty-Foot Embankment, Killing Two Horses.

Running Two Horses. Redding, Cal., Jan. 31.—The stage' rea Redding to Weaverville was cap-led over a steep bank yesterday eve-ing at a point a mile below Deadwood. It borses were attached to the stage with the passengers were aboard. The ach and all the horses rolled down a schot bank into Deadwood creek, the the heavy stage turned bottom-the up on two horses, which were med.

The passengers were: M. W. Lover-lize, N. J. Monroe and R. K. Finlayson, al mining men from Victoria, E. C. Loveridge is the only passenger who was hart, but not seriously.

EXPORTS OF MANUFACTURES FROM THE UNITED STATES.

Washington, Jan. 31.—According to a segment issued by the bureau of sta-sues of the department of commerce ial labor today, the exports of man-tauras from the United States in the year jast ended aggregated \$719,000, and formed 41 per cent of the total uports. Fixures are presented show-ing the states of manufactures to the are which manufactures formed of ports to those divisions. The ex-sues of the world and the ere which manufactures formed of ports to Europe aggregated in values and divisions of the world and the states of the states of the states that divisions of the world and the are which manufactures formed of ports to Europe aggregated in values and divisions. The ex-tense Oceania, \$25,11,170, and Africa-tes of the aggregate of which form-tage states to those grand divisions. Washington, Jun. 31.-

# LARTHQUAKE IN ILLINOIS.

A Louis, Jan 31.—Special from High-as and Greenville, III., report severe whouse shocks at 11:30 o'clock last and The vibrations seemed to be based to west, and continued about in shaken from shelves.

# ANOTHER NIGHT BANK.

iss Orieans, Jan. 31.—Announcement is a night bank will be opened by the bank & Trust company is made the president of that institution. a bank will be open continuously by a m, until midnight.

'I have come here in answer to "I have come here in answer to a telegram from Mr. Thaw's counsel." said O'Meara last night. "I have known Harry Thaw for years, and we have been friends, and I know that he desires that I shall be on hand during his actual trial. "I have information and data which are of value to the doring. I see next

"I have information and data which are of value to the defense. I can say that, for I have been constantly em-ployed for months in the gathering of evidence and making investigations for my client and his coursel." The members of Thaw's family, who are standing loyally by the side of the accused, and Thaw himself, while nat-urally anxious, have looked forward easily for the day to come when the real trial would begin. Now that it is here they have announced that they will attend every session of the courf in an endeavor to cheer and encourage the young man who is fighting for his life. The members of the new jury panel

life. The members of the new jury panel filed many of the seats in the rear of the courtroom which have been vacant forcement of the rule regulating admit-tance to the courtroom. The members of the Thaw family were sering in their seats. They ex-changes cordial greetings with the others of the family party. The morning session had not opened when the prisoner's wife came in. The delay was due to a conference of all the attorneys with Justice Fitzgeraid. The result of the conference of all

Wiggins, who was declared competent by the court and apparently was satis-factory to Thaw and his attorneys. The first talesman called was excused by consent, the state challenged perempconsent, the state challenged peremp-torily a second time when James P. Franklin, a paper manufacturer, seemed to be accepted. Alfred Fechheimer was excused for bias. Henry J. Robinson was released by consent and it was nearly 12 o'clock when Joseph J. Mor-ton took the stand. Mr. Morion said he did not think he could altogether dis-regard an opinion he had formed, and was excused. Oscar Pink 56 years old married a

was excused. Oscar Pink, 56 years old, married, a hay and grain salesman, satisfactorily answered all questions put by the prose-cution and defense. He was promptly sworn and took the place vacated by Mr. Walker. Just before Pink was accepted, Jus-tice Fitzgerald ordered that another

tice Fitzgerald ordered that another new panel of 160 talesmen be summoned The second new juror, making the

The second new juror, making the eleventh, was secured in Wilbur R. Steele, a manufacturer of gras plants, 60 years old. He had a decided opin-ion, no prejudice against any par-icular line of defense, and know no one connected with the case. Mr. Steele took the place of Louis Haas. It was announced today that Asst. Dist, Atty. Garvan will open for the prosecution as soon as the jury is completed. He will make only a plain statement occupying not more than half an hour. Asst. Dist. Atty. Marshall left for Pittsburg today to investigate the

Asst. Dist. Atty. Mershall left for Pittsburg today to investigate the record of Harry K. Thaw in that city, There are said to be various entries upon the police blotters there against

There are said to be various entries upon the police blotters there against the young man. There was intense excitement as the examination of Elias D. Beeghley, who succeeded Mr. Steele, neared an end. He had answered every ques-tion and all challenges for cause had been withdrawn when Thaw's attor-neys challenged peremptorily. The next talesman up, Joel T. Head-ley, a publisher, had formed an opin-ion which disqualified him. Henry C. Adams, the last talesman of the morning session, was peremp-torily challenged by the defense. He had known Stanford White slightly, but this fact would not prevent his being an impartial juror.

THE HAGUE CONFERENCE.

# Subject of International Disarmamen

## Will Not be on Program.

Washington, Jan. 31 .- It may be stated by authority that neither the question of international disarmament, including the kindred subject of restriction, nor the Drago doctrine, will be placed upon the program of subjects to placed upon the program of subjects to be considered at The Hague conference when it convenes next June or July. The program is regarded as closed at this moment, nor will it be formally added to before the meeting takes place. But every effort will be made to have the conference consider the two sub-jects named, though this can only be accomplished by the act of the dele-sches themselves, properly supported by their principals. It will require an affirmative vote of the conference to take up for discussion any new subject beyond those contained in the program and it is the hope of the Washington government that these all-important subjects will receive the favorable con-sideration of a majority of the dele-bits.

Gov. Gould of Massachusetts, in which the course of the governor was com-mended in refusing to interfere in the carrying out of the death sentence against Charles L. Tucker. "I never knew a communication of this sort to be sent by a president to the governor of a state since the foundation of the republic," said Mr. Rayner, "and I deeply regret and deplore the occur-rence. It would have been extremely good taste for Gov. Gould to have re-spectfully remitted this telegram to the president with a caution that he the president with a caution the did not request the president's op in the case nor the sanction of his that he high station to the carrying out of the exe-

#### NO TECHNICAL VIOLATION.

While admitting that no technical violation of any provision of the Con-stitution was involved, Mr. Rayner con-tended that it was a practical an-nouncement that the acts of the state officials were subject to the approval or displeasure of the federal government. The turbulent times in the sensite at-

displeasure of the federal government. The turbulent times in the senate at-tendant on the passage of the railroad rate bill were next alluded to by Mr. Rayner. "The president came into the game early," he began, and then add-ed: "We realize that no fight is thor-oughly equipped upon this floor unless the president is in it. He longs for a fight as the heart panteth after the water brooks. It was a match to the finish between the senior senator from Rhode Island (Aldrich), and the presi-dent." The most wonderful exhibition of the president's power in Congress Mr. Rayner believed to have been at the time of legislating for the sea level

time of legislating for the sea leve canal. After describing this fight he remarked:

#### PRESIDENT'S DOMINATING SPIRIT.

"It shows how the dominating spirit of the president can ride the whirt-wind when he has made up his mind to legislate, and how in absolute de-fiance of the laws of nature he can

fance of the laws of nature he can produce a senatorial vacuum beneath the sweep of his mighty genius." The Schley case was the next topic reviewed by Mr. Rayner, particularly with reference to the president's ac-tion in the matter. He predicted that the Schley case would yet be re-opened, just as a similar case had recently been in another land. "Ad-miral Schley shall be heard." he an-nounced, "living or dead. I have never known an injustice of this sort to have been done that the occasion did bot arise to redress it."

#### PROPHET OF A NEW CREED.

PROPHET OF A NEW CREED. The result of the president's construc-tion of his prerogatives. Mr. Rayner said, had raised a new school of scribes who had commenced to edit a revised edition of the constitution, called the "unwritten constitution," The presi-dent is the prophet of this new creed. "But," he added, "one thing he has no right to do, and that is to use the vast public patronage at his disposal to compel obedience to his views. An-other thing he has no right to do, and that is to make compacts with the other thing he has no right to do, and that is to make compacts with the speaker of the house of representatives or its committees to accomplish or prevent legislation. He has no right either beyond his messages in which he is given the right at any time to sug-gest any measure he may deem pro-per or necessary, to interfere with legislation and to force Congress either to adopt his recommendations or if it rejects them to bring about a breach between the legislative and executive departments that is detrimental to the TIME OF ARRIVAL

# When seen this morning, Frank B. Stephens said that he could not say in what manner Mr. Bryan would be en-tertained tonight, as it depended on whether or not his train came in on time. "If it gets in on time," he said, "Mr. Bryan will take dinner at my home. Otherwise it may be necessary to go directly to the lecture hall "

to go directly to the lecture hall." This is the seventh visit of Mr. Bryan to Utah. On the longest one, which was made in 1897, he brought his three children with him and remained for 10 days, as guest of Mr. and Mrs. Steph-ens. This was at the time of the Pio-neer jubilee.

### MASK CARNIVAL.

Big Event Scheduled to Take Place at The Auditorium Rink

The big event of the season takes place at the Auditorium roller skating rink this evening. It is a mask carnival and the fun begins at 7:30 carnival and the fun begins at 1:39 and will keep up until 11 o'clock. Every person holding a ticket will have a chance to win the handsome mahogany parlor set offered by a local furniture company. There will be 14 other prizes for costumes and for races. Chief interest centers in

be 14 other prizes for costumos and for races. Chief interest centers in the competition for the prize affered for the "best newspaper girl." The costumes will be made entrely from copies of the daily papers. There will be plenty of amusement when the race between fat men rakes place. There will also be one for fat women and as every person who trics out the little wheels will have to wear a mask, the identity of the rac-ers needs not be made public. All masked persons will have to raise their mask before being admitted to the mask before being admitted to big arena.

## RUSSIAN EVACUATION OF MANCHURIA BEGAN TODAY

St. Petersburg, Jan. 31.-The Russian evacuation of Manchuria began today with the departure of the Moscow regiment.

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best interests of the country. That con-stitutes an assumption of dictatorial power which the people of this repub-lie will not submit to." In concluding, Mr. Rayner said:

DEMOCRATIC BATTLING.

"I believe that if the Democratic par ty would take up as its battle cry the reserved rights of the states and the inviolate constitutional distinction of the legislative, the judicial and the ex-

the legislative, the judicial and the ex-ecutive departments that we could rally around the doctrine, the intelligent suf-frages of our countrymen." Senator Lodge, replying briefly to Mr. Rayner, declared that nothing the pres-ident had ever said had gone so far towards advocating a revolution of our present governmental system as bad Mr. Bryan's declaration for the govern-ment ownership of railroads.

Mr. Bryan's declaration for the govern-ment ownership of railroads. 'In reply to Mr. Lodge, Senator Car-mack said that while Mr. Bryan had expressed the opinion that if govern-ment regulation should fail, govern-ment ownership ought to cause, the president had said that. Hence he con-cluded that there was no substantial difference between the president and Mr. Bryan on that subject.

# BURGLAR NABBED.

Police Believe They Have a Badly Wanted Chicago Crook.

Yesterday afternoon Detective Wheeling captured a burglar who gave the name of Charles Riss, but who is believed to be a noted Chicago crook named Charles Merritt. The fellow was caught while in the act recently from the residence of J. D. Wood, 305 east South Temple street. After his arrest the prisoner prac-tically admitted that he committed the series of burglaries at the Tri-bune. Herald and other buildings. When questioned by the officers he said. said:

"Well, you've got me cinched on this residence job so let's not say any-thing about the others."

The arrest took place at Mehesy's The arrest took place at Mehesy's fur store where Riss, or Merritt was trying to dispose of the wrap. De-tective Wheeling thought the fellow

was acting in a suspicious manner and quickly placed him under arres. The man answers the description of Merritt who is wanted in Chicago and other places. With a pal he was under sentence of five years for burg-lary and was on his way to prison in custody of officers when the two des-perate men made a break for liberty and Merritt got away. A reward of \$500 for his capture was offered. The officers feel satisfied they have the right man.

The accused man will be arraigned The accused man will be arranged before Judge Dichl this afternoon, when he will plead guilty, if his pres-ent frame of mind prevails. The case will then be taken to the district court and disposed of in short order.

ANNUAL BANQUET.

#### Utah Association of Life Underwriters Celebrate at Commercial Club.

The annual banquet of the Utah As sociation of Life Underwriters was held at the Commercial club last even ing, with an attendance of nearly 80 people. The program as previously published was successfully carried out, except that owing to the illness of W. L. Wallace, the toast of "Some Funny Phases of a Serious Business," had to be omitted. Interesting talks were given on the aims and work of the as-sociation, including an address from Governor Cutler, who endorsed the ef-forts already made to better insurance conditions in this state. He expressed his approval of the lines along which the association was working and prom-

his approval of the lines along which the association was working and prom-ised his assistance in furthering its aims and purposes looking toward lifting conditions to a higher plane. Fresident J. D. Spencer introduced Toastmaster T. W. Sloan. "What the Association Movement Stands For," was responded to by Willard Done. Miss Edith Grant sang and Miss Jean Spencer gave a plane solo. The insur-Miss Edith Grant sang and Miss Jeah Spencer gave a plano solo. The insur-ance bill now pending in the legislature was presented by Victor P. Wells. J. Meitzer spoke on "What Our Insurance Association Has Accomplished." Other addresses during the evening were: "The Insurance Agitation as Viewed by a Policy Holder," Spencer Clawson: and the "Aftermath of the St. Louis Convention," by W. G. Farrell.

As the circumscribed possibilities of irrigation are realized it becomes ap-parent that the time is ripe for the making of a concerted, determined and intelligent effort for the extension of the productive area of the country This briefly is the purpose of the Transmissouri Dry Farming congress and for its accomplishment the opera-Transmissouri Dry Farming congress and for its accomplishment the organ-ization will encourage the establish ment of more experiment stations and foster such agitation and discussion o the subject as may be necessary. That the hour has arrived for the beginning of this work was abundantly evi-denced by the numerously attended and enthusistic congress hald in the off enthusiastic congress held in the cit; of Denver. The membership of the body was made up of presidents an other officials of agricultural colleges officers of state and national experi-ment stations, representatives of the department of agriculture at Washing-ton, practical farmers and men, who like H. W. Campbell of Nebraska an inte H. W. Campbell of Neoraska an and George L. Farrell of Utah, hav-devoted their lives to the study of dr-farming conditions. Sixteen states were represented by creditable delegation and the discussions were marked by unusual thoroughness and thoughtful ness.

unusual thoroughness and thoughtful-ness. "The congress was scheduled for i two-days' session, but the delegates re-fused to have it that way and insists on remaining another day. It will in terest your readers to know that m-part of the proceedings was more an joyed by those present than the ad dress of Mr. Farrell of Smithfield, Cach-county, Utah. Mr. Farrell divide honors with Mr. H. W. Campbell of Nebraska, who ranks next to Luthe Burbank as a benefactor of his kind. NEXT CONVENTION HERS.

NEXT CONVENTION HERE. "The selection of this city as the place for holding the next session of the congress was deemed particular, appropriate in view of the part played by Utah in the development of aci-lands. The present intention is to hold the second session of the congress ear-ly in October of this year, coinciden with our state fair. It is proposed to have here at that time a complete ex-hold the second session of the partmen-of agriculture, buther Burbank of Call fornia, H. W. Campbell of Nebrasis and many other notes of the Denver con-gress will be published in about sixi-days. This work will unquestionable become a text book of great value, a it will contain all the set addresse in the debates thereon. Any person desiring a copy of this book can secur-it free upon application from the office of the Commercial dub of this city." NEXT CONVENTION HERE.

#### ----KEPT A VICIOUS DOG.

Judge Willis Brown Found Guilty Bg No Penalty Was Imposed.

No Frenalty was imposed. Judge Willis Brown of the Juvenik court who was arrested some day ago on a warrant charging him wit keeping a vicious dog, was tried i Judge Diehi's court yesterday after noon and found guilty. No panalt was imposed for the reason that was shown conclusively that the do nad been killed. The dog attacked the little son o contractor Marron and the latte swore to a complaint against Brown it was announced that Marron pic poses to file a civil suit against the judge of the juvenile court.