FIFTY-SEVENTH YEAR

DEFENSE RESTS IN HAYWOOD CASE

Change of Plans Took the Attorneys for the Prosecution By Surprise.

STATE BEGINS ITS REBUTTAL

Dan Gainey, an Independence Depot Victim, Positively Contradicts Dominick Flynn.

August Paulsen, a Hercules Owner, Testified Orchard Had Nothing to do With Mine After Spring of 1898.

Boise, July 13 .- Contradiction, impeachment and rebuttal became the order of the day when shortly after the opening of court this morning ounsel for the defense of William D Haywood rested their case and the state commenced the second innings.

The rebuttal brought out a flock of witnesses whose evidence, short and snappy, kept the courtroom well keyed J. H. Hawley conducted the examination for the state and E. F. Richardson again took the lead as cross-examiner. Hawley, vigorous and aggressive; Richardson, quick and at times showing irritation, together provided a number of interesting passages, Good humor was mingled with grave insinuation, and short passages between counsel promptly suppressed by the count

between counsal promptly suppressed by the court.

Objection after objection was pour-ed in to the record by counsel for the defense. Clarence Darrow assisted Richardson in keeping interest stirred to the point of excited anticipation and the morning session was gen-erally lively,

Nine witnesses were examined in the first two hours, the most interest-

the first two hours, the most interest-ing being August Paulsen, formerly a partner of Harry Orchard in the Her-cules mine, and now a rich banker of Wallace, Idaho.

Wallace, Idaho.

The afternoon session will open with argument as to the admissability of certain documents and court will sit until 3:30 p. m.

With the opening of the court today Atty, Richardson sprung a decided sensation by announcing that the defense rested. At adjournment yesterday afternoon Mr. Darrow had amounced that a powder expert would be put on the stand today to testify in connection with the Bradley explosion in San Francisco. The change of plans took the state's attorneys entirely by surprise and there was some delay in beginning the case in rebuttal.

"We did not expect this," declared Mr. Hawley, leading counsel for the state, "and our witnesses were not notified to be here at this early hour." ORCHARD HAD NO MUSTACHE.

The witnesses began to straggle in, however, and soon John C. Rice was secalled to the stand. He testified that in November, 1905. Orchard did not wear a mustache. This was in contraliction of one of the defense's witnesses who swore he heard Orchard make threats against Steunenberg, describing Drehard as a man with a large mustache.

DAN GAINEY.

The next witness was Dan Gainey Walla Walla. Gainey lost both o of Walla Walla. Gamey logs both vis feet in the Independence depot explosion. He lived in the Couer d'Alenes n 1898 and 1899 and roomed a part of the time with Orchard. Gainey said that Dominick Flynn, who testified he hat Dominick Flynn, who testified he was playing poker with Orchard on April 19, 1899—the day of the Bunker Hill and Sullivan explosion—had told aim in a conversation that he had not seen Orchard since February, 1899.

Cross-examined by Richardson, Isainey said he had no present business. "When did you go out of business?" "After I was dynamited at Victor." "It was because you were dynamited

It was because you were dynamited it you wanted to come here and tes-

"You know it was Orchard who says blew you up."

"But you have corresponded with Or-

have written to him several That's all." O'NEILL'S PRISON RECORD.

R. E. Grimshaw, of Deadwood, S. D., was introduced by the state to identify a prison record showing that in 1880 John M. O'Neill, at present and for many years past editor of the Miners' Magazine, was in Dakota penitentiary. The defense objected on the ground that this was not a proper rebuttal or mosacument, the witness O'Neill's atinsect this was not a proper reputtal or mpeachment, the witness O'Neill's attention not being called to the matter when he was on the stand. To allow the citation of authorities the witness was temporarily withdrawn.

In contradiction of the old soldier. John D. Elliott, who said he heard probard make threats are list for.

John D. Elliott, who said he heard Orchard make threats against Gov. Steunenberg while on a train, the state introduced several railway officials who produced records showing that the trains on which Elliott said he and Orchard traveled did not make the con-mections which Elliott had described as a part of the journey.

ORCHARD AT THE CULLEN. Elliott testified for the defense that he traveled from Weiser, Idaho, to Boise, about Nov. 28 or 29, 1995. The state called J. P. Stephenson, a hotelderk of Sait Lake City, today, to testify that Orchard arrived at the Hotel Culler on Nov. 25, 1905, and remained there three weeks. When asked to broduce records, the witness said he could only find Orchard's name entered in the books on Nov. 25. It was the man's custom to pay for his room nightly in advance.

dishtly in advance.

J. H. Moser, proprietor of the Ketle Block rooming house in Denver,
estified that Harry Orchard, under the
name of Dempsey, stopped with him
or two weeks late in July or August of
804. Dr. McClea, witness for the defor two weeks late in July or August of 1904. Dr. McGee, a witness for the defense, testified several weeks ago that he saw Orchard in the Cocur d'Alenes at this time. On cross-examination he said he kept no record of guests and could not remember the name of any other transient guest in the summer of 1904. He was requested to come to Bolse by a Pinkerton detective.

AUGUST PAULSEN CALLED.

Interest in the rebuttal case was materially quickened by the calling of August Paulsen of Wallace, Ida., one of the owners of the Hercules, in which orchard once held a one-sixteenth interest. There was a long argument between counsel as to the witness' ability to tell when Orchard ceased to exercise the country of the mine. Paulsen said as could not remember the exact dates,

but that after early in the spring of 1898 Orchard had nothing further to do with the property, his interest being succeeded to by Dan Cardoner, now a wealthy man from the production of

the mine.

The defense claims that Orchard had The defense claims that Orchard had a personal motive against Steunenberg becaus of the loss of this property when he was driven out of the country as a part of the 1899 troubles. The state claims Orchard sold out his interest a year or so before the trouble started. The deed by which Orchard transferred his interest in the Hercules mine to Cardoner was admitted in evidence over the protest of the defense. It bore date of March 7, 1898.

Paulson was cross-examined but briefly and left the stand as the Juncheon adjournment until 1:30 p. m. was ordered.

TELEGRAPHERS' STRIKE.

A Final Effort is Being Made to Effect A Settlement.

A Settlement.

San Francisco, July 13.—With the arrival last night of United States Labor Commissioner Charles B, Neill of Washington and Vice President S, J. Konenkamp, M. J. Reidy and Joseph M. Sullivan, of the national executive committee of the telegraphers, the results of the final effort to prevent an extension of the telegraphers' strike probably will be known by tomorrow or Monday. Commissioner Neill lost no time in getting in touch with the local situation and last night held conferences in Oakland with representatives of both sides to the controversy. At the conclusion of a conference lasting one hour, with I. N. Miller assistant general superintendent of the Western Union, the commissioner declined to state what the outcome of the meeting was. It is expected that he will meet General Supt. L. W. Storrer of the Postal company today.

A mass meeting of the telegraphers will be held in Oakland tonight which Commissioner Neill said he would attend. The officials of both telegraph companies have also been invited.

J. P. MORGAN WITNESS IN LONDON POLICE COURT.

London, July 13 .- J. Pierpont Morgan appeared in the West London police court today as a witness in the case of Mrs. Josephine Leslie, who was arrested at Newmarket July 4, charged with defrauding members of well known families by false pretenses and who represented herself to be a friend of Mr. Morgan. The latter repudiatof Mr. Morgan. The latter repudiated all knowledge of Mrs. Leslie. He said he did not write to her advising her to join one of his syndicates, and never invited Mrs. Leslie, as alleged, to dine at his son's house. As a matter of fact, Mr. Morgan added, he was in New York at the time of the alleged invitation.

On cross-examination Mr. Morgan said he did not remember any invitation being sent to George Easterlick, the prisoner's father, for a public dinner which Mr. Morgan gave in New York.

ner which Mr. Morgan gave in New York. Mr. Morgan was sure that his firm

Mr. Morgan was sure that his him had no customer of that name, and he said it was improble that any of his business friends would speak of investments returning 12 per cent, which Mrs. Leslie said was to be the interest on money invested in the slieged Morgan syndictic.

terest on money invested in the elleged Morgan syndicate.
"I do not know many of that character," said Mr. Morgan in conclusion.
After the plaintiff, Miss Annie Blount, had testified briefly that she was induced to give Mrs. Leslie \$42,500 on the strength of letters purporting to have been written by Mr. Morgan promising huge returns, the case was adjourned.

SCHMITZ' APPLICATION FOR MANDAMUS REFUSED.

San Francisco, July 13.—The district court of appeals today refused to grant court of appeals today refused to grant Mayor Schmitz a writ of mandamus compelling Judge Dunne to set a date for settling the bill of habeas corpus proceedings in the case in which he was convicted of extortion and sentenced to five years in the state prison at San Quentin.

MERGER COMPLETED.

That of the New Haven Railroad and The Boston & Maine.

New Haven, Conn., July 13.—On high railroad authority it can be stated that the holdings of the New Haven railroad company in the Boston & Maine, amouting to approximately 120,000 shares, now represent an absolutely complete transaction.

Stock of the New York, New Haven & Have

Hartford company, share for share, and to the amount of \$12,000,000 has been isto the amount of \$12,000,000 has been issued to the former Boston & Maine stockholders. The whole of the 120,000 shares of Boston & Maine stock was acquired previous to the passage of the anti-merger law in Massachusetts and none has been acquired since.

CASHIER GEIGER GUILTY.

Baltimore. July 13.—John W. H. Geiger, late cashier of the Canton National Bank of this city, was this morning found guilty in the United States court of abstracting and fraudulently using funds of the bank. The case has been on trial for 17 days. There were 47 counts in the indictment. The case was given to the jury yesterday evening and their deliberations exevening and their deliberations ex-tended far into the night. Sentence was suspended pending a motion for a new

INJUNCTION STANDS.

Jefferson City. Mo., July 12.—The supreme court today denied the application filed yesterday by the attorney-general for a write to dissolve the injunction recently granted by Judge Taylor, of the St. Louis circuit court to prevent the enforcement of the state grain weighing flaw. The action of the supreme court leaves the injunction in force and the circuit court holds jurisdiction in the case.

EDUCATORS ARE SCATTERING.

Los Angeles, July 13.—With all official husiness of the National Education Association's convention transacted the delegates today scattered to nearby citics and resorts in search of recreation. Few of the teachers are leaving for the east today, nearly all having planned excursions throughout California and the northwest.

PENN. TWO-CENT LAW.

Philadelphia, July 13,—Argument was heard today in the suit of the Pennsylvania Railread company to restrain the city and county of Philadelphia from enforcing the 2-cent railread fare law which goes into effect Oct. 1. An early decision is expected from the common pleas court in order to enable the losing side to take the case to the Pennsylvania supreme court.

TWAIN SAILS FOR HOME.

London. July 13.—Mark Twain (Samuel W. Clomens), bade farewell to London this movning and salled for home upon the steamer Minastonka. A great crowd of admirers at the station kept the American humorist busy shaking hands and save him a rousing cheer as the train left for Tilbury.

JUDGE UNWILLING TO ALLOW BAIL

Need of It By Mrs. Bradley.

Prosecution Urges That the Defendant Remain in Hospital Until Trial for Murder in October.

Washington, July 12 .- There was a partial hearing in the supreme court of the District of Columbia today on the application of Mrs. Annie M. Bradley, charged with the murder of former U. S. Senator Brown of Utah, to be admitted to ball, but the action was postponed until next Monday. The hearing was held before Justice Wright, who found the affidavits regarding Mrs.

who found the affidavits regarding Mrs. Bradley's health to be insufficient to justify action at this time.

The fact was brought out that it was only desired to secure her liberty on bond, when she shall have sufficiently recovered to leave the hospital after a surgical operation which she is to undergo. The district attorney suggested that there would be no objection to her remaining at the hospital until the time of her trial in October, but Mr. Hoover, on behalf of Mrs. Bradley urged the importance of a period of recuperation between the time of leaving the hospital and the time of beginning her trial.

In Salt Lake the Bradley case is a center of as much activity as in the national capital. Max Brown, son of Senator Brown, is giving much time to preparing the case against his father's slayer, and he now is preparing to show that Senator Brown, despite the provisions of his will absolutely cutting off the Bradley children, was at one time willing to adopt them and to allow them to inherit equally with his legitimate children.

one time willing to adopt them and to allow them to inherit equally with his legitimate children.

John S. Rollo, stenographer for the supreme court, has given out an interview in which he says that Senator Brown dictated to him on the night before the Bernhart performance at Saltair last summer, a petition to the district court allowing him to adopt the Bradley children, and giving them his name, and also an agreement to which Mrs. Bradley was to become a party, binding her to cease molesting Senator Brown, and in consideration for a home which he was to give her, to cease asking that he marry her. One clause of the contract was that marriage was never again to be sought by Mrs. Bradley, and Mr. Rollo says that he learned later that Mrs. Bradley refused to sign on account of this clause.

Judge O. W. Powers, who has charge of the Bradley defense at this end, is now in his normal health and is working hard on the case to be prepared for the October trial. He has in his possession much data to show the incessant demand of Mrs. Bradley that Senator Brown marry her, and the changeable attitude of the senator, who would make one will deeding her and her children much property, and then at the next change of mood would destroy it for a substitute cutting them off.

ADMIRAL YAMAMOTO.

Many Social Activities do Not Seem to Tire Him.

New York, July 13.—The social activities that have occupied every minute of their stay here do not seem to have fatigued Admiral Yamamoto and his suite, who started early today for Philadelphia, where they planned to make an inspection of the Cramp and Camden ship yards. The Japanese admiral and party expressed themselves miral and party expressed themselves as delighted at the prospect of the day's inspection, which they hoped would de-velop for them some new ideas in ship Admiral Yamamoto and his suite will

return to this city this evening. STATUE OF GARABALDI

UNVEILED IN PARIS.

Paris, July 13 .- A statue of Garibaldi Paris, July 13.—A statue of Garibald!, Italy's gift to the City of Paris, was unveiled today in Lowendal's square with imposing military ceremonies, in the presence of President Fallieres, the cabinet ministers, the diplomatic corps and other distinguished persons. Foreign Minister Pichon and Gen, Canzio, Garibaldi's son-in-law, made the principal addresses.

cipal addresses.

The feature of the occasion was a The feature of the occasion was a defile before the monument of the French veterans of the army of the Vosges and deputations of Italian veterans who fought with Garibaldi in the defense of France during the Franco-German war in 1870-71. The presence of the latter in Paris, where they are being shown much attention, gives to the French national fete, the anniversary of the taking of the Bastile, which will be celebrated tomorrow with the usual popular festivities and a review of troops at Longchamps somewhat of the character of a Franco-Italian fraternalization.

MAY SUTTON WINS.

For the Third Time She Captures the Welsh Tennis Championship.

Newport. Wales, July 13.—May Sutton of California again won the Welsh tennis championship today by defeating Miss Lowther, 6-0; 7-8.

As this is the third time the American has captured the title, she becomes absolute possessor of the \$420 championship trophy presented by the late Marquis of Butte.

DAVIS TENNIS CUP.

London, July 13.—In the first quali-fying round of the tennis singles for the Davis cup at Wimbledon today Norman E. Brookes, Australia, beat Beals C. Wright, American, by 3-0. The scores were; 6-4; 6-4; 6-2.

KOREAN DELEGATES.

Choate Tells Them America Always Felt Kindly to Their Country.

The Hague, July 13.—It was officially stated today that Joseph H.
Choate, speaking to the Korean delegates at The Hague yesterday, merely
said that America always felt good
will towards Koreans, but he manifested no opinion about the present
condition of that country and only
expressed the belief that no action
can be taken here, adding that if the
Koreans desire to make representations to the United States, they must
address themselves to the government at Washington.

CAMPBELL DIES FROM INJURIES

Wants Further Evidence for the Real Estate Man's Fall From Lagoon Train Results in Death.

Weakened From Sickness, Excursionits Misses Rear Platform, Striking Ties With All Possible Force.

Injuries received in an accident at Bonneville yesterday were the cause of the death of James M. Campbell the well-known real estate man of this city. Mr. Campbell passed away this morning at 4 o'clock at the L. D. S. hospital. A bad fracture at the base of the skull and a crushed shoulder were in the main responsible for his death, although a number of cuts and bruises and loss of blood hasten-

ed his demise. The accident was a peculiar one Mr. Campbell has not been in good health for some time an yesterday health for some time an yesterday went out to Lagoon. "I am going to take a ride out and get some fresh air," he told his wife as he left the house. 118 West First North street. He started back to the city on the noon tarin from the resort. A stop was made at Bonneville, the station at the new packing house and Mr. Campbell got off to "stretch his legs," as he explained later. The train started quickly and jerked violently just as he made a jump for the rear platform. He missed the rail and felionto the track. In his weak condition he could not save himself, but fell with all his weight.

FELL ON SHARP TIES.

His side and face struck the sharp ends of the ties and a number of gashes resulted. Blood spurted from these and Mr. Campbell dropped into unconsciousness. No one had seen him fall and the train pulled out of the retirement of the retirement of the retirement. nim fall and the train pulled out of the station and puffed on its way towards the city. The train crew had not noticed probably because the station is on the west side and he got off on the east side of the cars. The insensible man lay in the hot sun for an hour before he was found. A switch engine crew discovered him, and realizing that he was badly hurt brought him right into Salt Lake. He was taken to the L. D. S. hospital. Dr. S. C. Baldwin, who dressed his injuries, found his right arm broken and torn open by a long gash. The base of his skull was fractured and Dr. Baldwin saw that this injury alone made his death almost a certainty. Besides being badly bruised all over his entire body a spot on his breast indicated that he had sustained internal injuries.

WAS PARTLY CONSCIOUS.

WAS PARTLY CONSCIOUS.

WAS PARTLY CONSCIOUS.

The attending physician and assistants did everything possible to make their patient comfortable. Several times during the night he seemed half conscious and then in a rambling way tried to tell about the accident. While no one knows for a certainty just how this happened, enough was gleaned from Mr. Campbell's statement to justify the explanation given. The weakened condition of the unfortunate man, from sickness, the loss of blood and exposure to the hot sun all had a part in hurrying the end.

WELL-KNOWN BUSINESS MAN.

WELL-KNOWN BUSINESS MAN.

Mr. Campbell was well-known in business circles of this city. He has been in the real estate business for several years and with his brothers has been active in the brokerage business. He leaves, beside his wife, three children, two boys and a girl, the oldest nine years old and the youngest three. Captain John B. Burbidge of the Salt Lake police force is a brother-in-law. Captain Burbidge was summoned yesterday and it was he who had Mr. Campbell taken right to the hospital.

Mr. Campbell was born in this city and has lived here all his life. He has been a real estate dealer and broker for the last 16 years. Other brothers are R. S. Campbell, formerly at the head of the street car system here, and Alex Campbell. The funeral will be held at the Seventeenth ward meeting-house at 4:30 o'clock tomorrow. The remains may be viewed between the hours of 3 and 4 at the family residence. Interment will be made in the city cemetery. city cemetery.

ARMENIAN TO SPEAK AT THE TABERNACLE.

Rev. H. S. Jenanyan, D. D., founder and principal of the Apostolic Institue of Asia Minor at Konia, accompanied by his wife, is in Salt Lake for a few days and during their stay here will deliver lectures on the conditions existing among the Armenians. Dr. Jenanyan will speak in the taber-needs towerrow afternoon nacle tomerrow afternoon.

How Many Pioneers Are Surviving?

The Descret News is desirons of obtaining for its special Pioneer Edition on July 24, the list of all surviving members of those who entered the valley July 24, 1847. As far as can be learned at this time, the survivors number 11 and, are as follows:

George W. Brown. Thomas B. Cloward, Thomas B. Cloward,
James Perry Decker.
Ozra Eastman.
Conrad Kleinman.
Samuel H. Marble,
Andrew Shumway,
William C. A. Smoot.
Horace Thornion,
William P. Vance,
Lorenzo Sobieska Young.

All of these bave been located and will be represented in the "News" Pioneer Edition with the exception of Samuel H. Marble. Any one who possesses his address, or who knows whether he is still living, or who knows the name of any other SURVIVORS of the original band of ploneers, will confer a favor by immediately forwarding same to this paper,

MILITARY MEN HAVE MEGRIMS

Army and Navy Officers in Washington Foresee Awful Results In Case of War.

CONTINUED HEARING MONDAY BASE OF SKULL FRACTURED. CONSEQUENCES AN UPHEAVAL

Should Japan Win, Would Take Philippines, Tutuila, Hawaii, Alaska and Panama Canal Zone.

Chicago, July 13 .-- A dispatch to the Tribune from Washington, says: Terrible would be the results of war between the United States and Japan and slight in comparison would be the advantage to the victor, in the judgment of high army and navy

officers in Washington. Statistics which have been collected by the military departments forecast appalling consequences and justify the demand that jingoism cease its efforts to promote a conflict. These statistics are based upon results of the war between Russia and Japan and of that between the United States

and Spain.

According to statements made at the ware and navy departments yesterday, the consequences of a war between the United States and Japan would include:

Destruction of fleet of one or other of the combatants.

Loss of territory by vanquished.

Blockade of ports.

Vast injury to commerce of both, but especially of loser.

Tremendous loss of life.

Heavy additions to naval debts and consequent increase in taxation. and Spain.

consequent increase in taxation.

Loss of prestige by nation suing for

The conqueror would enjoy these fruits of victory: Additional territory, in case the United States triumphed, Island of Formosa; Europe, especially Russia, would oppose American succession of Japan as a protector of Korea and occupation of Japanese islands would be impossible.

impossible. In case Japan were victorious: Philippine Island possessions, Tutulla, Hawaii and perhaps Alaska and Pan-ama canal zone, though these last ama canal zone, the named are doubtful. Larger claim to control Pacific ocean, which claim would be contested by the other government maritime na-

DRY FARM EXPERTS HERE.

Enthusiastic Over Tooele Excursion Which Was Great Success.

A trio of enthusiastic, dry farming experts is spreading glowing reports of the visit to the experimental farm in Tooele county in this city today. The visitors are Prof. J. C. Hogenson, John Stephens and F. D. Farrell, all of the Agricultural college at Logan. They headed a crowd of 200 interested ex-

perts yesterday to the Tooele farm, eight miles south of Grantsville, the poorest piece of ground in the county.

Prof. Hogenson in speaking of the trip said every one of the excursionists was not only delighted but surprised at what he or she saw, "Yes there were women in the party" he explained. "In fact women in the party" he explained. "In fact women were as numerous as the men and every bit as interested. Among the fair members of the party was Mrs. McIntosh of St. Johns who operates a 400-acre dry farm of alfalfa. This farm is noted throughout the territory for the success it is attaining.

attaining.
"The Tooele farm comprises 40 acres, "The Tooele farm comprises 40 acres, haif fallow ground and half planted in seeds of different grains, etc., Fifty plats are turned over for variety tests of spring and fall wheats; depth plowing; cultivation; corn variety tests; hay raising and concervation of moisture and other scientific aspects of dry farming. The visitors were first shown the contrast between the dry, dusty sagebrust entirely surrounding the farm brust entirely surrounding the farm and the beautiful grains raised on it. They were also shown how dust lays to a depth of two feet around the 46-acre tract while inside the mosture is kept within three inches of the sur-

"The fall wheat has been found to

"The fall wheat has been found to grow best under treatment. The Tooele farm will yield between 30 and 35 bushels per acre. This illustrates more plainly than anything she excellent condition of this farm as it is not customary to get more than 10 or 15 bushels from an acre.

"After going over the ground lemonade and refreshments were served and dry farming discussed in an informal way by the 200 information-seekers. These returned to their homes and farms more enthusiastic over the advantages and possibilities of dry-farming than ever. A similar excursion will be held to the experimental farm in Juab county Monday and a second to the one in Iron county Wednesday. There are farms in Washington, Sevier and San Juan counties, also. These are all under the supervision of the experimental station at the Agricultural college in Logan."

SHEA GETS THE JOB.

Former Salt Lake Contractor Success ful in Nevada.

(Special to the "News.") (Special to the "News.")
Goldfield, July 12.—The bid of John
Shea, a former Salt Lake City contractor, who placed a bid with the
county commissioners for the erection
of the new county buildings, was
formally accepted yesterday by the
commissioners after Shea had given
his bond of \$20,000 to guarantee the
work. The bid amounted to \$79,882.

FIRE INSURANCE CO'S ENJOINED IN KANSAS.

Topeka, Kan., July 13.—Injunction suits were filed in the county district court here today by Atty.-Gen. F. S. Jackson against 62 foreign fire insurance companies, charging them with alleged violation of the state anti-trust laws. The suits are based on information furnished by Charles H. Barnes, superintendent of insurance, and seek to prevent the companies from using the Eldridge rating sheet in writing Kansas insurance. The suits involve fvery fire insurance company within the state.

he state. In is charges in the affidavit filed by the attorney-general, Mr. Barnes says:
"There is in existence in the state of Kansas, an unlawful arrangement, trust and combination in restraint of the business of fire insurance within

the state of Kansas. The above named defendants are members of and participants in such unlawful agreement, trust and combination; that by means of such unlawful arrangements, trust and combination, the cost and rates of rate of insurance to the citizens of Kansas is arbitrarily fixed at high and extortionate figures by one Charles N. Eldridge of Shawnee county, Kansas, who is a general agent or other general functionary of some character, who, by common consent of the above named defendants, and by certain unlawful arrangements, combination and agreement between them, is authorized and permitted by the above named defendants to fix the cost and rate of fire insurance."

ants to fix the cost and rate of fire insurance."

Mr. Barnes alleges that competition is almost totally abolished and the rates and cost of insurance fixed so high as to in many instances be prohibitive. This is the same bureau which Webb McNall put out of business while he was superintendent of insurance. It was then known as the Clarkston bureau. Eldridge was a clerk in the Clarkson bureau at the time.

Judge A. W. Dana, who heard the attorney-general's application, later granted the temporary injunction. The attorney-general aunounced that he would seek to have the injunction made permanent. The court did not set a

permanent. The court did not set a date today for the hearing upon the application for a permanent order. The attorney-general went further The attorney-general went further than simply applying for an injunction against the companies. He specifically asked that if the defendant companies fail to comply with the orders of the court that a receiver be appointed to take charge of the property of each company involved.

FATAL AUTO ACCIDENT.

Beilingham, Wash, July 13.—J. J. Larson, liveryman and garage owner of this city, was crushed to death in an automobile accident last night a few miles south of here. He attempted to turn the machine in a narrow road and backed over a 40-foot embankment. Glenn Hyatt, a capitalist, and D. E. Biggs, a local physician who accompanied Larson, were not seriously injured.

TEDDY BEAR MAN.

J. P. Bowden Wanted in Detroit on Charge of Swindling.

San Francisco, July 12.—Lieut.s. of Detectives E. E. Brooks of Detroit, Mich., left last night for the east, having in custody Junius Paul' Bowden, wanted in Detroit on an indictment alleging the obtaining of \$1,200 under false pretenses. Bowden is known as the "Teddy Bear Man" and was manager of the concern that manufactured the Teddy bears. The charge against him is an outcome of litigation following the failure of the company.

MOTORMAN KELLY.

Detectives Take Him to New York Where is Wanted for Manslaughter.

San Francsico, July 13.—Lieuts. of Detectives Berry and Castlemann of the New York police department will leave this morning with Paul Kelly, the motorman wanted in New York on a charge of manslaughter in connection with the wrecking of a Ninth avenue elevated train in 1905, resulting in the death of 12 persons and injuring 65 others.

KILLED IN RAILROAD ACCIDENT

Bakersfield, Cal., July 13.—As the result of a bad railroad accident which occurred late last evening just above the north line of Kern county, one man, Silas Wright, Santa Fe section foreman at Solita, was killed and another, a Mexican laborer, was seriously intured.

The cause of the accident is shrouded in mystery as yet, though it is sup-posed the men were struck by protrud-ing sticks of timber.

NAT'L GOLF CHAMPIONSHIP. Cleveland, Ohio, July 13.—The national golf championship was decided today upon the Euclid links in a 36-holes magch between Jerome K. Trav-

ers of Montelair, N. J., and Archie Graham of the North Jersey club. A tremendous gallery followed the game. Eighteen holes were played this morning and the second half of the game will be played this afternoon, commening at 3 o'clock. Jerome is a strong favorite for cham-

pionship honors.

Another interesting match today was an impromptu four-ball match between Chandler and Walter Egan as partners, and Fred Herresshoff, and Walter J. Pravis as partners.

ANTI-SALOON LEAGUE.

Secures a Notable Victory Before the Alabama Legislature.

Montgomery, Ala., July 13.—The anti-saloon league scored a victory before the Alabama legislature yesterday when the early closing bill passed the senate and the bill prohibiting shipment of liquor into prohibition counties was taken from the adverse calendar.

adverse calendar.

The early closing bill provided that saloons in Montgomery, Mobile and Birmingham must close at 4 p. m. In cities of the second class between \$1.00 are visiting they close \$1.00 are visiting they close 2,500 and 25,000 population they close at 8 p. m., and under 2,500 at 6 p. m.

"QUIET HOUR MEETING."

Boston, July 13 .-- A large number of delegates to the National conven of delegates to the National conven-tion of the Young People's Christian Union got up with the sun today and attended a "quiet hour meeting" at 6 o'clock, the topic of which was "Por Their Sakes I Sanctify Myself." Shortly after breakfast another de-votional meeting was held and this was followed by a business session.

ASK PARDONS FOR ANARCHISTS. Madrid, July 13.—A petition signed by many prominent persons, including Marquis Vega De La Arnigo, a former premier, has been presented to King Alfonso, asking a pardon for Nakens, Mata and Ibarra, who were recently convicted of being concerned in the plot against the king on his wedding day.

OUIDA ON HER DIGNITY.

Telegraphs Daily Mail: "I Absolutely Forbid Any Mention of Me.'

London, July 13.—Louisa De La Ra-mee (Oulda), the accounts of whose poverty have just been printed, has telegraphed to the Daily Mail from reggio, Italy, saying; absolutely forbid any mention of

Marie Corelli, the novelist, writes to the press urging subscriptions to insura comfort to Ouida in her declining years. She contributes \$125 herself. EXPRESS HEARING CONTINUED.

Omaha, July 13.—By mutual agreement the hearing for an injunction in the federal court upon the petition of the five express companies against the Nebraska state railroad commission to prevent the latter placing in effect the 25 per cent reduction in rates, was continued today until next Saturday, July 20. The express companies involved are the Adams, American, United States, Wells Fargo and Pacific.

CITY STREET WORK FAILS TO SATISFY

Alarming Condition of Public Roads Recently Built at Great Cost.

MANY OF THEM WORTHLESS.

"Macadam" of Blue Shale Fails To Cement and Soon Goes to Pieces in Dust, Ashes, Mud.

Contracts Now Proposed for Hundreds Of Thousands More to be Thrown Away in Similar "Pavements."

A waste of hundreds of thousands of dollars now threatens the taxpayers of Salt Lake City. For some unknown reason, the city council is proceeding to lay miles of macadamized roads of a material relatively worthless and altogether discredited by former trials, at a cost to property owners of from \$5,000 to \$10,000 per linear block, and about a third as much more to the city itself-the general taxpayers.

"The American party is doing the greatest work for Salt Lake City that has ever been done by any municipal administration here. It is doing it honestly, creditably, economically, and well."-Tribune, July 7.

Complaints have come to the Deseret News that certain recently paved or macadamized public streets in various parts of the city are already in bad condition, disclosing either poor materials used in construction, or faulty methods of laying the pavements, or both. Also that this kind of paving is now being rapidly extended along other streets, to the detriment, as some allege, of the abutting property. This paving costs to the property facing it on wide streets from \$4 to \$6 per front foot for each side of the street, and since there are 660 feet along each reguiar block, and double that for both sides, this paving costs the property owners from \$5,280 to \$7,290 for each block paved with macadamized structure, and more for asphaltum or stone, The narrow streets cost less than \$4 per linear front foot to the property benefited. Besides these sums paid by the abutting property owners, the city pays auditi one-third as much more toward the total expense. At the present time is appears that at least three miles of such street paving are to be laid down. The expense of paving in this manner three miles of regular streets would aggregate from \$168,960 to \$252,840. It is therefore a public duty to ascertain the facts as to this alleged paving evil.

For this purpose the "News" has conducted a careful examination of existing conditions, and gives herewith the result of actual and impartial investigations and inquiries into the matter of the recent street paving.

No special investigation as to the cost of paving was made. The tax payers know enough about that. The prices the abutting property owners, the city

know enough about that. The prices here named for such work are given just as reported by the city engineers. But the cost of paying varies some-what, and the prices here indicated are

probably an average. If we put the city's proportion of the cost of street paving at one fourth of the total, which in many estimates is neaver the result than one third of the total, then the cost of macadamizing three miles of wide streets would run from \$158,400 to \$238,600. On the other hand, it seems from a count of the narrow streets already contracted for that at least four miles of this macadamizing on narrow streets will now be put through not of this macadamizing on narrow streets will now be put through, not counting a large but unascertained amount of such work in contemplation for the regular, wide streets.

AN EXCELLENT ROAD.

AN EXCELLENT ROAD.

Three years ago the federal government macadamized the continuation of South Temple street drive on to Fort Douglas. The material used was gray limerock. The contractors were Parmer & Tate, and the work was done under governmental supervision. This foad has been subjected to heavy usage by reason of the fact that practically the entire freight traffic to and from the fort is conducted over this route. The coal and other wagons used for this service are heavily loaded and those of heavy government type make freof heavy government type make frequent trips thereon. The freighting and passenger traffic are continuous, both ways throughout the whole year, and the route is largely patronized by au-tomobiles and other pleasure vehicles. Despite the enormous wear and tear to which this road, Penrose drive, as it is called, has been subjected, it is today in apparently perfect condition, the hard usage serving only to improve its solidity. The city council recently took a trip to this road for the purpose of a trip to this road for the purpose of making an inspection of it. For some reason the results of that inspection were not made public, and the opinions of the city councilmen, as to this fine sample and honest piece of roadmaking have not been published.

Without knowing just what the councilmen said of this road, the "News" ventures the declaration, after looking into the facts of the case, that every

into the facts of the case, that every councilman must have been fully sat-isfied of at least three things after the four of inspection along Penrosa drive;

CONCLUSIONS FROM THIS ROAD. 1. That a macadamized road may be from the standpoint of cost of construc-dom, strength to bear heavy traffic, dur-ability under years of service, and soli-dity of surface and subsurface struc-

ability under years of service, and soldity of surface and subsurface structure, as nearly perfect a road as can be constructed.

2. That such a road can be cheaply and economically built here from Utah materials and by Utah contractors.

3. That the Fort road is an example of such construction, answering every demand made of a good municipal road, smooth of surface, soild of texture, mostly uniform as to wearing down under use; less noisy than a stone pavement and almost as soild; better for winter travel than the asphaltum, because less smooth and slippery under the summer sun as the black asphaltum read; practically noiseless as compared with stone and, in fact, all other pavements, and certainly the most desirable road under all suburban conditions, wherever, in fact, the traffic is tions, wherever, in fact, the traffic is not so heavy and continuous as in the

(Continued on page three.)