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10 PAGES—LAST EDITION. WEDNESDAY, JUNE 28, 1905. SALT LAKE CITY, UTAH. FIFTY-SIXTH YEAR.

KNIAZ POTONKIN'S CREW MUTINIES.

Murdered All the Officers and Threatened to Bombard the City of Odessa.

BODIES THROWN OVERBOARD.

Situation is Most Serious — Black Sea Fleet is Expected Today.

CONDITIONS AT LODZ UNCHANGED

Martial Law Still Prevails—Grave Consequences Will Probably Follow Attempt at Mobilization.

Odessa, June 28.—The crew of a battleship in the roads have mutinied and murdered their officers. It is reported that the mutineers are threatening to bombard the town. All work at the port has been stopped.

BODIES THROWN OVERBOARD.

Washington, June 28.—Thomas E. Heenan, American consul at Odessa, today cabled the state department in substance as follows:

"The Russian warship Kniaz Potonkin and one torpedoboat arrived yesterday evening. All officers murdered at sea and bodies thrown overboard. Men threaten to bombard the town if interfered with. The situation is precarious. The Black sea fleet is expected today.

The Russian battleship Kniaz Potonkin armored turret ship of 12,480 tons, having a speed of about 17 knots. She was completed in 1902 and belongs to the Black sea fleet. The battleship mounts four 12-inch guns, 16 6-inch guns, 14 3-inch and over 20 smaller rapid-firing guns. She carried a crew of 630 men.

NEWS IN ST. PETERSBURG.

St. Petersburg, June 28, 6:30 p. m.—The only news which has reached here from Odessa regarding the naval mutiny is that the crew of the battleship Kniaz Potemin is reported to have mutinied because of the bad food furnished to the sailors.

CONDITIONS AT LODZ SAME.

Warsaw, Russian Poland, June 28, 2:05 p. m.—The conditions at Lodz are unchanged excepting that most of the workmen have returned to work. Out of 60,000 men about 7,000 from 22 factories remain out. Martial law still prevails, the streets are constantly patrolled and the liquor shops are all closed. The universal condemnation of the strike movement at Lodz has had the effect of quieting the situation and it is expected that the remaining strikers will soon resume work.

There was a reiteration on the Warsaw bourse today of the rumor that the mobilization of troops in Russian Poland had commenced and possibly might be expected in Warsaw in two days and it caused considerable excitement. It is claimed that if mobilization is attempted here it will lead to serious disturbances.

A strike was declared today at the coal and iron mines, foundries and factories in the districts of Dombrowa, Strzemieszyce and Sosnowiec.

HARVARD BEATS YALE.

Wins First Honors in Racing on The Thames, Conn.

Gales Ferry, Conn., June 28.—Harvard won the first honors in the Thames river racing by defeating Yale today in an impromptu match of freshman sub freshman crews. The race was for one mile and Harvard led at the finish by two lengths of clear water, covering the mile in 5:22.

SWEDISH COMMITTEE.

Elects Herr Lundeberg Chairman; Herr Pehrson, Deputy.

Stockholm, June 28.—The special committee of both houses to which has been referred the Swedish government bill looking to a settlement with Norway today elected Herr Lundeberg, vice president of the first chamber, as chairman and Herr Pehrson, vice president of the second chamber, as deputy chairman.

BARON ROSEN SAILS.

New Russian Ambassador Leaves for United States.

Paris, June 28.—Baron Rosen, the new ambassador to the United States, and Baroness Rosen, left Paris this morning for Cherbourg, where later they sailed for New York on the Kaiser Wilhelm II. of the North German Lloyd line. They were accompanied to the depot by intimate friends and Russian officials. Many persons on the platform respectfully saluted the baron, who appeared to be in the best of health. On board the Kaiser Wilhelm the baron and baroness were assigned to a luxurious state cabin.

Ladies Tennis Tournament.

London, June 28.—In the first round of the ladies' championship tennis, at Wimbledon today, Miss May Sutton of Pasadena, Cal., beat Miss N. Meyer, 6-0, 6-0.

Terre Haute Bank Suspends.

Terre Haute, Ind., June 28.—The Vigo County National bank, on which there has been a run for the past two days, closed its doors this morning.

Japanese Warships Seen.

Vladivostok, June 27.—Japanese warships believed to be torpedoboats were seen on the horizon today.

LEFT GAS JET OPEN.

Bodies of Two Women Visitors To Exposition Found.

Portland, Or., June 28.—Mrs. R. F. Myers and Mrs. William Jones, who came to this city to visit the Lewis and Clark centennial exposition from Jefferson, O., were found dead in their apartments at 250 Eleventh street this morning. An open gas jet showed the manner of the death of the two women. It is supposed that the women retired for the night leaving a small jet of gas burning and that a rush of air extinguished the flame, releasing the deadly gas.

It was evident that Mrs. Myers awakened to realize her peril and endeavored to reach the door of the room, but she was too far gone to aid herself and died on the threshold. Mrs. Jones was not awakened by the efforts of Mrs. Myers to gain fresh air, nor were any of the other occupants of the house.

Secy. Hay Stronger.

Newbury, N. H., June 28.—From the bedside of Secy. of State Hay, at his summer home, the Fells, it was announced today that the secretary passed a very comfortable night. He appeared much stronger this forenoon and was in excellent spirits.

Metcalf-Hallenbeck Nolled.

Washington, June 28.—Upon motion of Dist.-Atty. Beach the cases against James T. Metcalf, Harry C. Hallenbeck and Norma R. Metcalf, indicted for conspiracy to defraud the government in connection with the contract for money order blanks were nolle prossed in criminal court today. Mr. Beach announced after a careful investigation of the evidence he had decided to take no further steps looking to the trial of these persons asked that the indictments be dismissed.

POPE MAY LEAVE VATICAN FOR THE SUMMER.

Rome, June 28.—The Messenger says today that if the pope decides to leave the vatican during the hot weather he is most likely to go to the famous Benedictine abbey of Monte Cassino, province of Caserta, Italy, and there will be the guest of the Rev. Father Boniface Krug, formerly of St. Vincent arch abbey, Beatty, Pa., who is abbot of Monte Cassino. When he was patriarch of Venice, the pope promised to visit Monte Cassino the first time he came to Rome and he intended to go there after the conclave but as he was elected pope he could not carry out his plan. However, twice since then the pontiff has renewed his promise to visit Monte Cassino.

DEMANDS OF JAPANESE CONSTITUTIONALISTS.

Tokio, June 28, 8 p. m.—The committee of the Constitutionalist party, of which Marquis Saionji is president, met today and passed the following resolution:

"The Constitutionalist party, since the outbreak of the war, frequently has published its convictions. For the sake of realizing the aim and purpose of the war, by providing the national unity of feeling.

"Now that the question of concluding peace has been brought up, though it is not necessary to state the terms of peace in detail, we yet deem it necessary and opportune to declare that, for the sake of realizing the aim and purpose of the war, as stated at the declaration of hostilities, and also for the sake of securing a future guarantee in the interest of our empire, as well as for placing peace in the extreme east on a permanent basis, the cession of territory and the repayment of the outlays caused by the war be demanded and the Korean and Manchurian questions definitely and clearly settled."

The leaders of the Constitutionalist party, after taking this action, interviewed Premier Katsura and presented the resolution.

Tokio, June 28, 6:30 p. m.—A manifesto published today by the Progressive party is practically identical with the resolution adopted by the Constitutionalists. It contains, however, the following additional points which the party desired to have incorporated in the peace agreement:

"Forbid Russia to raise works for warlike use in localities where Japan's interests might be menaced. Compel Russia to relinquish the privilege she has enjoyed in Manchuria, refrain from future interference with the Manchurian question, and pledge herself to undertake no measure deemed to be menacing to peace or the interests of the frontiers of China.

The Chess Players.

Ostend, June 28.—Two games, adjourned from previous rounds, were decided in the international chess masters tournament today when Janowski drew his game with Teichmann and Marco defeated Leonhardt.

MUCH BETTER TODAY.

J. Golden Kimball May Not Have to Undergo Operation.

The condition of J. Golden Kimball, who was yesterday taken to the Groves L. D. S. hospital suffering from what was at first thought to be an acute case of appendicitis, was reported much better this afternoon and hopes are now entertain for his speedy recovery. For a time it was feared he would have to undergo an operation, but it is now hoped this will not be necessary, as Mr. Kimball is resting much easier and is more free from pain than at any time since the attack came on.

AN EXCITING MIXUP.

Horse Gets Gay and Creates Consternation on East Temple Street.

An ambitious horse attached to the fragments of a milk wagon created considerable notice and attendant expert dodging on the corner of East Temple and First South at 10 o'clock this morning. Horst burst into public gaze when he collided with a wagon near the McCornick block, then he made a straight line for a lady on the crossing and chased her behind a telephone pole. Across the street he sailed trailing the wagon behind him on the three remaining wheels to finish up by making a gallant slide for life beneath the express wagon of Thomas Corpell. The veteran driver was dozing comfortably on his seat when the impact occurred. He promptly disappeared over the back of it amid a clatter of milk cans and the fates of the runaway's hoofs on the bed of his wagon. Just ween it looked as though the horse would kick the whole affair skyhigh he got both hind legs in the spokes of the express wagon. It subsequently took 8 men and two boys to extricate the animal. Nobody was hurt, but the owner of the volatile horse, a colored man, who gave the name of W. Hubbard, gazed ruefully at the ruin ere he gave the star actor a thump over the loose and addressed a few remarks by way of a compliment to the endurance of the brute.

PASSED BOGUS CHECKS.

Strange Conduct of H. L. Seward While Seriously Ill.

A most unfortunate case came to the notice of the police this morning when Detective Burt arrested a man named H. L. Seward, aged 42 years, who has been living in the Union block.

The man has been ill for some time, and last evening when his wife went out to get a physician to attend to him, he escaped from the house and came down town. He went around town trying to pass worthless checks. He gave a check to Gardner's clothing store for $150, another to Vincent-Nott Shoe company for $20, and several other small checks about town. In each case his actions aroused suspicion, and he promptly returned the money.

After being taken into custody by the officer, Seward tried to escape, and when Seggeant Hempel and Officer Sperry detained him, he became frantic with rage. Later his wife called at the station and explained his condition. He will be examined as to his sanity this afternoon.

UTAHNS HEADED FOR ASBURY PARK

Go to Educational Convention Bearing Aloft State Banner for Next Meeting.

QUITE CONFIDENT OF VICTORY.

Means a Gathering of from 15,000 to 20,000 People—Mat Thomas To Speak.

Tomorrow morning and tomorrow afternoon the main portion of the Utah delegates to the Asbury Park convention of the National Education association will leave to boost for Salt Lake, and a few plan to leave tonight. Attractive badges bearing the legend "N. E. A. Salt Lake, 1906," are being printed by a local firm and will be distributed through the convention so far as possible. About 600 letters have been sent out addressed to prominent educational centers, soliciting support for Salt Lake. Once on the ground the members of the delegation will begin active work of a personal nature, and on the success of this work the delegation is depending for its ultimate victory.

When seen today City Supt. of Schools Christensen stated that while most of the delegation would leave tomorrow morning, he and a few more members would follow in the afternoon, both the Union Pacific and Rio Grande roads being used by the junketers.

When asked for an estimate as to the number of people who would come to Salt Lake for a convention, he stated that in his opinion 15,000 would be the most that could be expected. At its Boston convention in 1903, the association numbered 34,993 members of which 4,288 were active and 30,695 were associate. Its eastern conventions are more heavily attended than its western meetings, the former running from 20,000 to 25,000, and the latter from 10,000 to 15,000.

The nominating speech for Salt Lake will be made by Mathonihah Thomas of the board of education. The latest revision of the list of delegates is as follows: State Supt. A. C. Nelson, City Supt. D. H. Christensen, County Supt. John W. Smith, Prof. Horace Cummings of the state board of Education, Atty. Mathonihah Thomas of the city board of education, L. E. Eggerton, William Allison, D. C. Jensen, E. M. Whiteside, J. Y. Jensen, and Principal William Bradford. Most of the delegation will return to Salt Lake in about two weeks, a few of them remaining, however, for more extended visits in the east. Mr. Thomas is called to New York on legal business, and will not return for some time, coming by way of Chicago on his return trip.

A BOLD HOLD UP.

Three Armed Men Rob a Chicago Resort.

Chicago, June 28.—Three armed men held up and robbed the people in a resort kept by Victoria Shaw in Dearborn street early today. There were many persons in the place, and the robbers escaped with jewelry and money to the amount of $5,000.

Each of the men carried two revolvers. There were five cabmen waiting outside, and one of the three attended to them while the other two went inside. Within were 15 women and 10 men. The two robbers went through the place, driving the inmates before them.

They lined them all up together in a room on the second floor, with their hands in the air. After robbing them they locked them in the room, and breaking the telephone wires, ran from the place. The two were joined by their companion in the street, and the three disappeared in an alley.

To Air the Subway.

New York, June 28.—Arrangements have been perfected between officials of the Interborough Rapid Transit company and of the Rapid Transit commission, whereby large fans revolving at a high rate of speed are to be placed in manholes in the roof of the subway at frequent intervals to cool the air which in recent weeks has become extremely oppressive in the downtown sections of the underground. Provisions were made when the tunnel was built for such a contingency and installation of the fans will be comparatively an easy task. Power for operating the fans will be easily obtained from the third rail.

A WOMAN'S KINDNESS.

Because of it to a Boy She is Deported to Europe.

New York, June 28.—Through the operation of the immigration law which prohibits the landing of any alien suffering with trachoma and which stipulates that any such alien, if under age, must be sent back in care of a relative or guardian, a woman, who, as a matter of kindness, acted as guardian to a Hebrew boy, has been ordered to return with him to Europe.

The boy's father lives in America and arranged with a woman in his home town to bring the son over. She did so, acting as his guardian on the voyage. His deportation will be the result.

MARRIAGE IN HIGH LIFE.

Amy Phipps of Pittsburg Weds Capt Guest of British Life Guards

London, June 28.—Miss Amy Phipps, eldest daughter of Henry Phipps of Pittsburg, Pa., was married this afternoon in St. George's church, Hanover Square, to Captain the Honorable Frederick Guest, of the First Life Guards, son of Lord Wimbourne.

Much interest was taken in the wedding and the church was filled, the guests including Ambassador and Mrs. Whitelaw Reid, the staff of the American embassy and most of the Americans prominent in London society besides friends of the groom's family, noticeable among them being Princess Christian and the daughters of Princess Henry of Battenburg. The archdeacon of London, the venerable William MacDonald Sinclair, and the rector of St. George's church officiated. Miss Phipps gave away the bride who was attended by two train bearers and eight bridemaids.

OVERPRODUCTION OF FRAUD AND SHAM

James B. Dill Says a Large Part Of Modern Prosperity is Bottomed on It.

FEELING OF DISTRUST GROWING

Evils Shown Are Result of the Riotous Race for the Easy Dollars and The Many Dollars.

Oberlin, O., June 28.—James B. Dill of New York, in the course of an address to the graduating class of Oberlin college, today delivered a scathing rebuke to men who misuse positions of honor and trust for purposes of personal gain. In urging his hearers to go "back to beginnings," Mr. Dill contended that "grafting," which was foreign to the true American character, had been developed by the mad rush for wealth and the recognition of false standards by educated men in the competitive struggle for business power and social prominence.

"A large part of our modern prosperity," he said, "is to a perilously large extent bottomed upon an overproduction of fraud and sham. The crisis is acute. A feeling of distrust is growing throughout the country. Many branches of financial business have been in one way or another taken possession of by the unscrupulous for the purpose of deceiving the unwary. Trust companies have been made the mediums of the floatation of specious and fraudulent promotions.

"Some companies in the field of life insurance, the highest and in a sense a sacred form of investment, are, as we all know now, conduits through which the savings of the policyholders are diverted into operations for speculative purposes.

"Credit and good faith, not money, are the basis of business. Good or bad, our modern prosperity is founded on public confidence. Take that away and the whole fabric falls.

"The fact is that the unprecedented material growth of the country, the resulting creation of immense private fortunes, the massing of great aggregations of corporate capital, industrial commissions and railroad mergers, all have tended to concentrate the attention of the people upon great financial achievements and to establish in the highest place in the popular estimation the captains of industry and the powerful financiers, little regard being presented, in making up the judgment, to the financial virtues of private individual life.

"Now, whose fault is this? It is ours. It is the fault of public opinion and public opinion is our opinion, yours and mine—yours of me, mine of you, ours of all the rest. We have to learn to recognize graft and the grafters, however, respectable their disguises—and to punish them, not alone by imprisonment and fine but with all the might of the terrible scorn of society. We have to recognize that the seeds of socialism, revolution and anarchy are sown by the man of our own class and kind who pretends to be what he is not; these seeds are cultivated by the grafting bank officer, insurance officer, man in power in financial organizations; in short, every grafter who in his dealings with the public departs openly or secretly from old-fashioned ten commandment honesty.

"This indictment of our business life is not based upon an inherent, incurable defect in our American character, but on the contrary these evils are an outgrowth of our American strenuosity in the riotous race for the easy dollar and the many dollars. In the hearts of genuine men and women of our country there is an appreciation of the importance of character; the rank and file of the American people not only believe in, but also stand for right living and conscience undimmed and unfettered by business environments.

"Therefore, right and honesty will triumph; a saturnalia of graft, an era of grab will find itself short-lived, speedily to be ended by the uplifting influences of educated men and women of character."

BLAME LAID AT DOOR OF GREAT BRITAN.

The Novoe Vremya Places Much of Responsibility for Franco-German Crisis There.

PURSUES TRADITIONAL POLICY.

Has Succeeded in Having Another Country Accomplish Task from Which She Shrank.

St. Petersburg, June 28.—At Great Britain's door the Novoe Vremya lays much of the responsibility for the Franco-German crisis, saying she is pursuing her traditional policy of encouraging a conflict between her competitors in order to profit thereby.

"Great Britain," the paper adds, "pushed France into the Morocco adventure sustaining M. Delcasse, the foreign minister, in his resistance to Germany's claims. For decades Great Britain's hostility has been directed against Russia, at last succeeding in having another country accomplish a task from which she herself shrank. With Russia no longer dangerous for the present all Great Britain's machinations were set in motion against Germany, now her chief competitor in Europe."

The Novoe Vremya thinks it quite conceivable that in case of a conflict Great Britain would aid France to the extent of destroying the German fleet, and that then with both France and Germany weakened her supremacy would be assured for another half century. The Novoe Vremya, however, believes that with Premier Rouvier in charge of the negotiations with France, Great Britain's plans would be defeated and the Moroccan affair will be satisfactorily adjusted.

OHIO DEMOCRACY SOUNDS TRUE NOTE

Remedy for Railroad Evils is Regulation and Not Governmental Ownership.

SO SAYS TEMPORARY CHAIRMAN

Corporate Power Created to Subserve Public Welfare Always Subject to State Supervision.

Convention Hall, Columbus, Ohio, June 28.—Chairman McKinney of Marietta, of the state central committee, called the Democratic state convention to order today, introducing M. A. Daughterty of Lancaster as temporary chairman. Mr. Daughterty said in part:

"The Democracy formulated its demand for the extension of the powers of the interstate commerce commission to regulate rates before the Republican party awoke to the injustice and wrongs inflicted upon the public by the carrying companies. The coalition between the Republican party and these carrying companies is so well known and of such long standing that there is justification for the conclusion that growing public sentiment has whipped that party into a pretense of activity only against its own will.

"It has been the historic position of the Democracy a position now fairly held by it, that corporate power created by the state to subserve the public welfare is always subject to the control of the government whose creature it is.

"And the remedy of the Democracy is regulation and not governmental ownership.

"Whenever Democracy shall cease to contend against the constant aggression of privilege pressing on with its ever tightening coils, whenever Democracy shall no longer marshal its legions in the defense of equal rights and shall haul down its flag in inglorious surrender, then the day of governmental ownership and the stagnation and decay of socialism is at hand. The lost resort of the people against the oppression of privilege is government ownership. No man who knows the history, the teachings, the traditions and principles of the Democracy dare associate its name with that of socialism. Between Democracy and socialism there is no peace and no reconciliation.

"Socialism, like tariff, trusts, monopoly, privilege and corruption, comes trooping from the poisoned womb of Republican policies.

"Surprise is expressed that a Democratic club in Chicago should have entertained the president. But Democrats know what Republicans dislike to hear, and if the president is now being borne on the crest of the popular wave, it is because it is understood that he sanctions three significant planks in the Democratic platform, and proposes to employ all the power of his administration for the regulation of transportation rates and the reduction of the tariff, each and all of them Democratic to the core; and to do this against the controlling influences of his own party. Popular favor was never so showered upon President Roosevelt as it is when he is sowing the Democratic seed in Democratic soil prepared for him by Democratic hands.

"The Democracy faces the future with hope, with courage and with confidence. Time and the progression of events will vindicate its principles."

Mr. Daugherty's speech was frequently applauded, and the mention of William J. Bryan aroused a storm of cheers which was renewed at the end of the address.

Mayor Tom L. Johnson brought up again the planks on which he was defeated last year, and today won by a vote of 11 to 5 on that declaring for taxation of railroads as other property is taxed, although he was defeated, 8 to 12, on the two-cent railroad fare proposition.

The temporary organization was made permanent.

THE PLATFORM.

The platform was adopted as presented. It is as follows:

"The Democracy of Ohio in convention assembled announce the following declarations of principles:

"We note with satisfaction the determination of the national administration to purchase supplies for the Panama canal in the markets of the world and not pay tribute to our protected monopolies. We trust that the day may soon come when the common people of this country may enjoy the same privilege and not be compelled to pay the manufacturers for the necessaries of life a higher price than those articles are sold for by the same manufacturers to foreign purchasers.

"We demand of our representatives in Congress to aid in the enactment of such laws as will prevent all rebates and secret contracts by railways and will guarantee the same service to every citizen.

"We favor the conferring upon the interstate commerce commission the power when it finds a rate unreasonable to fix a reasonable rate.

"The Democratic party pledges itself in this state election if successful to use its utmost endeavor to eliminate the graft and political corruption that has been nourished and fastened upon the state by the Republican party in the last few years. We have seen the blighting effect of boss rule in one of our cities, and we call upon the voters irrespective of party, to unite in preventing its permanent lodgement in control of our state.

"We believe in free and unqualified home rule, free from state interference, each city, town and village should be allowed to decide for itself all matters of local policy, especially as between public or private ownership of all public utilities, including street railways as well as waterworks and lighting systems and that provision should be made for submitting such questions to the people upon request from a reasonable number of voters and at such elections the voices of a majority shall decide. Such public ownership should be safeguarded by the merit system of appointment and tenure of office so as to prevent the building up of political machines and the perpetuation of boss rule.

"We declare that the present laws for assessing the property of steam railroads and other public service corporations should be so changed as to compel the assessment of these properties at not less than their salable value, and to prevent their evasion of just taxation.

"We favor the election of United States senators by direct vote of the people.

"We favor the initiative and referendum especially with reference to the issuing of municipal and county bonds and the granting of public franchises."

The chairman read a communication from R. McLean, resigning his membership in the national committee. The resignation was accepted. In answer to a question the chairman said that the vacancy would be filled temporarily by the national committee and permanently by the delegates to the next national convention.

For the nomination for governor the names of Lawrence T. Neal, J. M. Pattison, J. C. Welty, Brand Whitlock, B. F. McCann, Hiram D. Peck, S. M. Hunter and A. B. Van Cleaf were presented.

There was no choice on the first ballot, but Pattison led by more than 150 votes, Welty being second.

Pattison was nominated on the second ballot.

CRITCHLOW LEAVES.

City Recorder Takes His Departure to Deliver Bond Issue.

City Recorder Critchlow left for New York this morning to sign and deliver $200,000 of the city's special water and sewer bond issue to the Mutual Life insurance company, the purchaser of the entire $1,000,000 issue. The bonds were sent by express and Mr. Critchlow will be there to sign them and return to the city in any of the details of the delivery which might come up.

BONDS FOR SEWER.

Ogden Will Vote on the Proposition August 1—Larsen's Troubles.

(Special to the "News.")

Ogden, June 28.—At a special meeting of the city council last evening at which six members of the council were present, a resolution was passed providing for a special election Tuesday, Aug. 1, for the purpose of determining whether or not the city shall issue bonds in the sum of $75,000 for the creation and equipment of a new sewer district to be known as sewer district No. 9. All property owners who voted at the last election are eligible on this occasion. The proposed district will cover 40 city blocks, and if created will be of immense advantage to the municipality.

LARSEN'S TROUBLES.

The troubles of Henry Larsen seem to be increasing daily. A week ago the old man was taken into custody on complaint of his son Amiel, who charged him with insanity, a charge, however, which was not substained. Yesterday he was complaining witness against his sons Amiel and Ludwig, whom he charged with assault and battery. This morning comes the greatest trouble of all when his wife filed suit for divorce, alleging failure to provide and cruelty. The court issued an order restraining the defendant from disposing of any of his property pending trial. His wife's name is Christina and they were married in Denmark in 1860, but have been residents of Ogden for the past 15 years.

DROPPED IN TO REST.

Local Salesman Tells Sad Tale of Disappointment.

Two society ladies walked into one of the largest dry goods stores in the city this morning, and sitting down at one of the counters accepted the voluminous attentions of a salesman who thought he saw in them large sized purchasers. Finally, after spending 20 minutes in showing them goods they wanted to look at, while several other prospective customers stood by patiently waiting, the salesman sought to make a sale. "Oh," replied the full blossoms of society, "we have been house hunting, and got tired out; so we thought we'd come in here and rest for a while—that's all. No, thank you, we really don't want anything today."

The salesman stopped breathing for a moment, as he stood petrified, if not petrified in his Oxford ties, dropped the two society ladies like a superwarm potato, and gave his attention to others near by.

He remarked afterwards to a friend, "You could have knocked me down with a feather, when those two women told me that."

LOOKS GOOD FOR SALT LAKE WOMAN

Mrs. D. R. Gray May Get Handsome Share of Estate Valued at Six Million Dollars.

DEPENDS ON CASE NOW PENDING

Court Asked to Appoint a Guardian for Mary V. Burnes, an Alleged Incompetent.

ATTEMPT TO ANNUL CONTRACT.

If this is Successful Case will be Reopened and Relatives will Share in Estate.

By the filing of an application in the probate court at St. Joseph, Mo., last week, for a guardian for Mary V. Burnes, the first steps have been taken, it is claimed, which will again open the Burnes estate case which is now in litigation in the federal court.

Considerable interest is manifested locally in the case inasmuch as it involves one of the largest estates in Missouri, an estate, according to testimony entered during the litigation of no less than $6,000,000 in value. Among the claimants are Mrs. David R. Gray of Salt Lake, wife of the district freight and passenger agent of the Harriman lines here and daughter of Atty. Thomas Marshall, and Harry M. Hughes, who lives in Idaho.

If the court sustains the application and appoints a guardian for Miss Burnes, lawyers say it will set at naught all the litigation that has heretofore taken place for a division of the Burnes estate, and which has been carried to the supreme court of the United States.

MRS. GRAY'S SHARE.

Should this step be taken Mrs. Gray will receive her share, which is approximately $250,000.

Both parents of Miss Burnes are dead. She is about 40 years of age and lives with a nurse at 1213 Charles street, St. Joseph, Mo. It is alleged that she can neither read nor write and in fact is incapable of taking care of her business affairs. For this reason the guardianship is asked.

STORY OF THE CASE.

The litigation which has heretofore taken place over the Burnes estate hinged on a contract made by Mrs. Calvin F. Burnes and her daughter, Mary V. Burnes by which the 375 shares in the estate, representing the Calvin F. Burnes interests, were transferred to L. C. Burnes, manager of the estate, which is a corporation embracing the various Burnes interests, containing 1,000 shares. A second contract was made later, it being similar in most respects to the first. It was subsequently annulled by the federal court. Under the contract the lady was allowed an annuity of $12,000 for life.

TO ANNUL THE CONTRACT.

Mrs. Calvin F. Burnes died since this decision, and the intention of the proceeding in the probate court is to show that Mary V. Burnes was incapable of making any such contract. If this is successful it will reopen the case and allow the relatives of Mrs. C. F. Burnes to share in the estate.

The maiden name of Mrs. C. F. Burnes was Hughes and Mrs. David R. Gray is her niece, being the daughter of the sister of Mrs. Burnes. The other heirs are Harry M. Hughes, who resides in Idaho, and Edward Hughes who lives in Oregon.

ALFRED BEST PASSES AWAY.

Early Settler Succumbs to Bright's Disease—Funeral on Friday.

Alfred Best, one of Utah's earliest settlers, died last night at his home, 675 east Twelfth South street, of Bright's disease, after an illness of seven weeks. The deceased had been in poor health for a number of years, but was bedfast only about three weeks, and passed peacefully away surrounded by members of his family and intimate friends.

Alfred Best was a native of Toddington, Gloucestershire, England, where he was born June 19, 1829, the son of Richard and Diana Peary Best. He emigrated to America in the latter forties, and after remaining some time in the states, came on to Utah, where he arrived in 1851. Shortly after his arrival he engaged in the tinning business, freighting tin from California for this purpose. He also conducted a hardware store in connection and did well for many years, being finally forced to retire through failing health. During the time Johnson's army was here he acted as guard, and in other ways rendered valuable service to protect the rights of the settlers of this valley. He was a faithful member of the Church and a good citizen, and leaves considerable property as a result of his success in business. Seventeen children and many grandchildren survive him.

The funeral will be held Friday at 1 p. m., from the Sugar ward meeting-house. Friends are invited. The remains may be viewed at the late residence Thursday and Friday morning.