

PENITENTIARY DOORS ARE OPENED

Decision of Missouri Supreme Court May Invalidate Many Convictions.

INFORMATIONS ARE DEFECTIVE.

Those Issued by Circuit Attorneys Must Be Sworn to by Prosecuting Witnesses.

St. Louis, Mo., Dec. 14.—Notification of a decision from the Missouri supreme court, which brings into question the legality of hundreds of arrests and convictions recently made on informations in St. Louis, and which, according to Circuit Attorney Folk opens the doors of the penitentiary through writs of habeas corpus, was received here today by that official.

In the list of cases which, under the ruling of the court, could be affected after the plea of illegal arrest was raised, are the majority of the suburban franchise hoodlums.

It was stated by a well known lawyer today that the statute of limitations in these cases expired last November, and that if the present charges against the accused men should be found defective it would be impossible to bring new indictments against them.

All of the cases are before the supreme court on appeal, and the records show that each case was tried on information furnished by the circuit attorney on his official oath. They follow:

Charles F. Kelly, former speaker of the house of delegates, convicted of perjury in connection with suburban franchise hoodlum, sentenced to two years in the penitentiary.

John P. Schettler, bribery, suburban franchise; four years.

J. J. Hennigan, bribery, suburban franchise; five years.

John A. Schridan, bribery; suburban franchise; five years.

T. Edward Albright, bribery, suburban franchise; five years.

Charles A. Gutke, bribery, suburban franchise; five years.

Edmund Bersch, bribery, suburban franchise; five years.

J. Denny, bribery, suburban franchise; five years.

Louis Becker, perjury, suburban franchise; four years.

Harry A. Faulkner, perjury, suburban franchise; three years.

Mr. Folk notified Judge McDonald of the criminal division of the circuit court, and proceeding were stopped in all cases affected. Nine cases were wiped off the docket and the witnesses sent to the grand jury room, there to give information upon which to base indictments to take the place of the invalid informations.

The case against E. J. Arnold, charged with grand larceny, was one of those affected. This case, which was called for Monday, will have to go over to the next term. Eight larceny, burglary and assault cases were similarly treated. The decision is that reversing the case of the state vs. William Bonner, which holds that an information issued by the circuit attorneys must be sworn to by prosecuting witnesses in the case, and that circuit attorneys or prosecuting attorneys could only swear to informations from personal knowledge of the facts.

No Colored Militia for Colorado.

Denver, Dec. 14.—It appears that Colorado is to have no colored contingent in her national guard. Two companies of colored men were organized and were at the army tonight to be mustered in. Col. Bloom was present as mustering officer, when "Major" Charles Jones, a colored man, to whose efforts the formation of the companies was largely due, announced that he had learned that Gov. Peabody intended to officer the companies with white men. The colored recruits at once refused to enter the service.

Church Attendance in Manhattan

New York, Dec. 15.—A census of church attendants in the borough of Manhattan has just been completed, which shows that about one-quarter of the population attend the Sunday service. The count covered the Sundays beginning Nov. 15 for churches in the northern part of the island and ending Dec. 6 with those in the lower section. On all four Sundays there was pleasant weather and normal conditions prevailed.

The total population of the borough is reckoned at 2,907,350. It is almost exactly 25 per cent attended the Christian church. The Jewish population is estimated at 351,934. Deducting this number from the calculation, the percentage is the Christian house of worship is 28.2.

There were found 451 places of public Christian worship, claiming a membership of 664,882. In attendance upon services 127,135 persons, or 64.2 per cent of the membership. Of these churches 366 were Protestant and 85 Roman Catholics. The Protestant churches claim 128,380 members and had 135,106 attendance. The Roman Catholic churches claim 511,505 members, 289,929 attendance.

C. W. Goodale Fined \$300.

Butte, Mont., Dec. 14.—Judge William Clancy adjudged Charles W. Goodale, general manager of the Boston & Montana company, guilty of contempt of court this morning and fined him \$300. The court also stated that he would hold Mr. Goodale responsible for the fine of \$300 imposed on the Boston & Montana company on Saturday, and that he would be committed to jail in default of the payment. The decision was in the contempt case in which the Montana Ore Purchasing company sought to have the Boston & Montana company, C. W. Goodale, George Moulthrop, J. C. Adams and D. H. Danahy adjudged guilty of contempt of court for working certain ore bodies in the Pennsylvania mine, alleged to be part of the vein given the plaintiff, by order of the court three years ago.

A DOUBTING THOMAS.

Had His Falling Hair Stopped, and Dandruff Cured, Without Faith.

H. B. Fletcher, Butte, Mont., Oct. 20, 1899, says: "Like many other people, I have been troubled for years with dandruff, and within the last few months my hair came out so badly that I was compelled to have what I had left clipped very close. A friend recommended Newbore's Herpicide. I confess that I doubted his story; but I gave Herpicide a trial; now my hair is as thick as ever and entirely free from dandruff." "Des. Troy the cause, you remove the effect. Herpicide is a delightful hair dressing for regular use. Sold by leading druggists. Send 10c. in stamps for sample to The Herpicide Co., Detroit, Mich. For sale by Z. C. M. I. Drug Dept.

NATIONAL WOOL- GROWERS ASSN.

Official Call Has Been Issued for Big Meeting at Portland, Ore.

HUNDRED UTAH DELEGATES.

Executive Committee of State Organization Names Same Men as Will Attend Livestock Convention.

The following call has been issued from Portland, Ore. for the thirty-ninth annual convention of the National Wool Growers' association to be held at Portland, Monday and Tuesday, Jan. 11 and 12, 1904:

Each state association of wool growers will be entitled to one delegate to each 10,000 head of sheep represented by its membership, and one delegate for a fraction of 10,000 head over 5,000, and also five delegates at large.

Each local association of sheep or wool growers will be entitled to one delegate for each 10,000 head of sheep represented or fraction of 10,000 over 5,000, and three delegates at large.

Each pure bred record association will be entitled to one delegate for each 25 members and one delegate at large. Each individual member or corporation member shall be entitled to one vote and an additional vote for each 10,000 head of sheep represented or fraction over 5,000 head.

The convention will convene promptly at 10 o'clock Monday morning, Jan. 11, and among the subjects to be considered will be the following:

Should the forest reserves and all vegetation upon the public lands of the United States be placed under the control of the department of the interior, allowing the interior department to only direct such matters in relation to the public lands as concern the title of such lands? Should the forest reserves of the United States be restricted to actual forest lands on water sheds and non-forest lands in existing reserves be eliminated and thrown open to settlement and grazing? Should sheep be entitled to the same privileges and treatment in the use of the public lands and forest reserves for grazing as cattle and other livestock? Should the sheep growers of the United States favor the amendment of the present laws affecting the public lands; for the leasing of said lands to citizens; for the government control of grazing on said lands; for the repeal of the timber, stone and redemption acts? Should the bureau of animal industry be urged to extend its work of inspection and dipping of sheep not in the interstate commerce, or should this work be left exclusively to the authorities of the different states?

Conditions attending the marketing of wool and sheep, and suggestions looking to the correction of existing evils. In connection with the above subjects matters that may be proposed relating to markets and marketing. Should railroads move trains carrying live stock at a minimum speed that would prevent suffering to such stock in transit, and give such trains the right of way over trains carrying dead freight? While the above are among the subjects to be considered, any delegate has the privilege of introducing resolutions bringing up any subject in relation to the sheep and wool growing industry for the consideration of the convention. The fullest opportunity will be given to debate all of these matters. While the association has from time to time expressed itself upon many of the subjects enumerated above, conditions are constantly changing and it is of the utmost importance that the association should adopt a policy regarding these matters which are now of public concern to the industry, and it is urged that all organizations of sheep and wool growers be fully represented at this meeting.

Since the last convention of the association a new constitution and by-laws has been prepared by order of the association, and it will be necessary to consider and pass upon the same at this meeting. Said new constitution and by-laws are in effect provisionally until this convention acts upon the same. Where local organizations, members of the National Wool Growers' association, are unable to send full delegations, they are urged to provide those delegates who attend with authority to represent said organizations with the full number of votes to which they are entitled.

The railroads have made special low rates of fare to this meeting, regarding which full information may be had from the secretary. Those organizations which are not already members of this association may become members at any time previous to the convention by addressing the secretary.

Your president has called the attention of members heretofore to the fact that our industry is in the throes of an evolution which is working many changes. The old established methods of conducting the business of sheep and wool growing. New conditions are arising that vitally affect every one engaged in the industry. It is a large combination and union. Individually we can do but little to guide or control the mighty influences now at work either for the wool or wool of the sheep engaged in the industry, but collectively there is much that can be done. For this reason every man connected with the industry is vitally interested in this meeting and, if necessary, sacrifice should be made to secure a full representation from the various states and territories and the various branches of the industry. There are still some organizations and individuals in the industry who have not identified themselves with the national organization. It is earnestly hoped, for the good of all, that these will become members and be represented at the meeting. They will not only assist in the work to be done, but will gain much in an educational way that will more than offset the expense and trouble of the journey.

FRANCIS E. WARREN, President.

MORTIMER LEVERING, Secy. The executive committee of the Utah Wool Growers' association, which appointed the 100 Utah delegates to the National Livestock convention appointed the same men as delegates to the National Wool Growers' convention.

Aged Negress Seeks Her Relative

Syracuse, N. Y., Dec. 15.—Caroline E. Hixson, a negress, bent and wrinkled with age, has arrived here, having walked, she says, from Georgia to seek relatives from whom she was separated 56 years ago.

The old woman told the police where her parents had lived but no trace of them has been found and it is supposed they died years ago. Two persons were located who remembered her, however, and they confirmed the story she told of having been carried away in childhood with several runaway slaves.

PLOT AGAINST MINISTER POWELL.

He Was to be Assassinated During A Melee in the Street, "By Accident."

THE SCHEME WAS ABANDONED.

Still the American Representative is Carefully Guarded Whenever He Goes Out.

New York, Dec. 15.—An alleged plot to assassinate William F. Powell, United States minister to Haiti, and charge d'affaires at Port au Prince, Santo Domingo, has been disclosed in a communication from an official of the present Dominican government to a fellow countryman in this city who formerly was an official under Wos y Gil, the recently deposed president of the republic.

The letter states that the plot had been so arranged that ex-President Jimenez, under whose leadership Wos y Gil was overthrown, should be killed at about the same time.

The plot to assassinate Minister Powell was asserted to have been conceived because of his opposition to plans of certain officials.

The plan, as reported, was to let two or three men go into a fight on a street along which Mr. Powell was passing. It was arranged that during the melee other plotters should engage, and it was an easy matter to kill the American "by accident."

With regard to Jimenez, the writer asserts that he was to be victim of a plain assassination, and that already two unsuccessful attempts have been made upon his person. The first occurred Dec. 6, when a shot was fired at him while he was driving. The second attempt was made three days later. Jimenez was the candidate for the presidency in opposition to Gen. Morales and the partisans of the men who desire to succeed Wos y Gil are said to be at loggerheads.

While the plot against Minister Powell is said by the author of the letter to have been abandoned because of a strong stand taken by a member of the cabinet, it is said the American diplomat is being carefully guarded whenever he goes out.

Report on Daly's Estate.

New York, Dec. 14.—William C. Wilson, state transfer tax appraiser, today filed a supplemental report as to the value of the estate left by Marcus Daly, who died in this city on Nov. 11, 1900. The appraiser's original estimate, with gross personal estate, wherever situated, was \$5,430,590. It is unchanged in the report filed today.

Mr. Daly's personal property in New York state at the time of his death was worth, according to the original estimate of the appraiser, \$1,585,451, and the deductions in this state of \$127,014 leave a net personal estate of \$1,458,437.

The supplemental report estimates the gross personal estate in New York is \$1,848,545, leaving the net personal estate \$1,696,640. Of this the widow will receive \$58,546, and each of the four children one-half of that amount. The appraiser says there are claims pending against the estate amounting to \$1,621,500. Mr. Daly died he was a resident of Anaconda, Montana. The will was probated in that city.

Lived 105 Years.

Wakenfield, R. L., Dec. 14.—Viola Sands Hazard, thought to be the oldest woman in Rhode Island, is dead at her home here, aged 105 years. She is known as the only descendant of the sole survivor of the ship Palatine, which was wrecked at Block Island in the eighteenth century and which became celebrated as the "phantom ship" in Whittier's poem.

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