

MONTEPELIER FOR JOHN SEELY

One Hundred Feet of Signatures
Puts Him in Line for
Prohibition.

WORKING FOR GOOD ROADS

Brinkerhoff's Record Sent Glimmering and He is Forced
To Yield Honor.

Memorial to Congress by Wilson of
Wasatch Provides for Entry on
3,000,000 Acres.

The ambition of Senator John Seely of Sanpete has been gratified. Two days ago when Senator Alonzo Brinkerhoff presented to the state senate a bill of signatures to a prohibition petition 25 feet long, Senator Seely announced his desire to have his constituents bring him into line, if they must, with a much longer one—one that would break all records and be so long that no other senator could possibly duplicate its length.

Today Senator Seely's petition came in. It was one to tickle him to the bottom of his heart, for when it was measured out in a long strip across the senate chamber it reached a total of 100 feet in length, and as the names were written in double column, the total length of the names was 200 feet. "I tell you when you have constituents like that it's going home," was the remark of Senator Seely by which he expressed his joy at breaking all possible records. Seely's law prohibiting the sale of liquor is a specialty with Senator Seely, as he has in his possession more of them than any other man in Utah. Usually they represent his winnings at the state fairs and the legislature. This one, he jestingly said this afternoon, represented his being won by his constituents to do what they wanted.

Senator Brinkerhoff, who made a bid for first honors with a 25-foot petition was forced into line this afternoon to congratulate Senator Seely on successfully breaking his record.

President Gardner today received a copy of a local option bill now before the Wyoming legislature. It is one of a dozen similar measures that have been sent in from states where legislative bodies are now in session.

WILSON PRESENTS MEMORIAL.

To secure a total of 3,000,000 acres of land for the state of Utah from the mineral and unappropriated lands of this state still belonging to the general government, is the object of a memorial to Congress presented to the senate today by Senator Wilson of Wasatch.

The land is that mentioned by the governor in his message to the legislature as being necessary to raise a revenue fund for the state capital building fund. The memorial sets forth that there are 3,700,000 acres of land in Utah subject to homestead entry, and that most of it is in lands impossible to reclaim through irrigation.

In an elaborate explanation of the new system of dry farming, the memorial sets forth that this land, if reclaimed, would add to the value of the 25,000,000 acres still remaining after this road building grant is made that the government will receive a handsome profit for its general revenue.

The memorial has the backing not only of the governor's message but of the state good roads convention, and it is therefore thought that the Utah delegation will do all in its power to secure consideration for it.

TRAVELING LIBRARIES.

S. B. by Kuchler was introduced this afternoon a bill for the purpose of creating a traveling library association. It shall have the power to take and hold in the name of the state of Utah, for the use and benefit of the people thereof, any books acquired either by gift or purchase, or by any and all things necessary to create free traveling libraries.

A board of commissioners consisting of five members is to have charge of the library, to be chosen by the governor from a list of double the needed number to be submitted by the executive board of the Federation of Women's clubs.

CALHOUN TRIAL.

Attempts Being Made to Find Out
How Prospective Jurors Stand.

San Francisco, Jan. 22.—A third attempt to ascertain the opinion of a prospective juror in the trial of Patrick Calhoun by parties whose connections have not yet been discovered was reported to Judge Lawlor at the opening of today's session. An employee of W. A. King, one of the attorneys, was in the box, testified that a stranger had entered King's place of business yesterday and tried to ascertain King's opinion as to the result of the trial.

The stranger particularly sought King's opinion as to the result of the trial. He denied him the right to ask him to do so, and he was seeking and was asked to do so. Both prosecution and defense denied any knowledge of the culprit, and the district attorney's office was instructed by Judge Lawlor to make an investigation of the parties who have for its object the identification of the man who has twice visited the home or office of a lawman in the case of the trial.

When Judge Lawlor had disposed of the incident for the time being, he addressed the score of citizens comprising the remainder of the panel requesting that they bring about the arrest of any person who attempted in future to address any of them in relation to the trial.

It developed that King had opinions regarding the case sufficient to disqualify him, and he was one of four lawmen, excused during the first hour of the session.

Badger of Salt Lake providing that in this state the birthday of Abraham Lincoln is recognized as a legal holiday. It is not probable that the passage of this bill will be defeated.

AGAINST ANTI-JAPANESE LAWS

San Francisco Business Men
Who Visited Japan Make Pro-
test to the Legislature.

PROPOSED ACTION HARMFUL.

Would Affront Japanese Nation—Immigration Being Honestly Restricted—Los Angeles Merchants Act.

San Francisco, Jan. 22.—A strong protest against anti-Japanese legislation has been sent to the members of both houses of the state legislature by the San Francisco business men who recently returned from an extended visit to Japan at the invitation of various Japanese commercial organizations. The protest is conveyed in a letter addressed to the president, speaker of the house, and to all members of both houses, and is signed by the eight San Francisco men who made the trans-Pacific trip. The letter is as follows:

"We, of the commercial committee of the chamber of commerce who recently visited Japan, beg leave to protest against the passage of certain anti-Japanese legislation now pending before your honorable bodies, and as forcibly as possible to direct your attention to President Roosevelt's letter of Jan. 16, 1908, to Gov. Gillett regarding said proposed legislation.

"During our visit to Japan we paid particular attention to the question of Japanese immigration and from what we ascertained we are strongly of the opinion that the emperor and the government officials in Japan are acting in absolute good faith regarding the restriction of Japanese immigration to the United States.

"We firmly believe that any action by the legislature which is directed at the Japanese residents of this state will be taken as an affront by the entire Japanese nation.

"The oriental trade passing through the port of this state has assumed large proportions and is likely to be seriously crippled by such proposed action.

"We therefore respectfully request that action on any of these bills that affect the Japanese people be deferred indefinitely as being unwise and injudicious."

LOS ANGELES.

Los Angeles, Jan. 22.—The Merchants and Manufacturers' association of this city passed resolutions strongly condemning the efforts being made in Sacramento to enact legislation affecting the rights of aliens—especially Japanese.

The resolutions assert that the federal government is fully able to cope with the questions involved, and urgently requests members of the legislature to vote against the Drew bill and other measures before the California legislature.

HUNDRED AND SIXTY MEN DROWNED IN A MINE

Johannesburg, Jan. 22.—Ten white men and 150 natives were drowned today in the Witwatersrand gold mine when the flooded by the bursting of Knight's Dam. Heavy rains caused the dam to give way.

The water from the dam flooded also the lower section of the town of Eburg. A number of houses were swept away and 13 persons were drowned.

ERECTING HOUSES FOR EARTHQUAKE SUFFERERS

Messina, Jan. 22.—The work of erecting buildings for earthquake sufferers is now well organized. The crews of the Italian warships Regina Elena and Regina Margherita have constructed huts at the village of San Salvatore Carmine, where a large number of refugees have gathered. Altogether 8,000 soldiers and sailors are at work removing debris and building shelters.

Rome, Jan. 22.—The crew of the battleship Napoli have completed the construction of 19 temporary houses, together with an office for the mayor of Reggio and his clerks, and already the buildings are occupied by 1,000 refugees. Medical attendance is being supplied and the people are being fed. Other warships have built huts for refugees at Santoro, Castellino, Ferrito, Lagarella, Puccinelli, Scilla, Bagnara, Villa Sangivanni, Paile.

CATHOLIC UNIVERSITY.

Rev. T. J. Shahan of Hartford May be
Chosen Rector.

Washington, Jan. 22.—Rev. Thomas J. Shahan of Hartford, Conn., is named in well informed circles, has been selected to succeed Bishop Dennis J. O'Connell as rector of the Catholic university of America. Bishop Carroll had originally been spoken of for the position, but was unwilling to give up his work in Montana.

Dr. Shahan holds the chair of the church history at the university. He is one of the editors of the Catholic Encyclopedia and is considered one of the most scholarly men in the American church.

VATICAN APPRECIATES AMERICAN CHARITY

Rome, Jan. 22.—Archbishop Ireland, having ascertained the extent of the work of relief accomplished by the American Red Cross through the bishops and clergymen in the earthquake districts has given to the pope \$25,000 which the archbishop has received from the American ambassador, Mr. Graciano, acting on behalf of the American-Roman committee. Both the pope and Cardinal Merry del Val said that the relief accomplished by the American Red Cross was highly appreciated.

The United States has done in this distressing occasion.

MISSOURI RATE CASE ARGUMENTS

Gov. Hadley Says Railroads Have
Demonstrated Falsity of
Their Own Contentions.

PROSPERITY UNQUESTIONED.

Judge Spencer Declared Two-Cent
Rate Law Enacted for Sake of
Securing Popularity.

Kansas City, Jan. 22.—Gov. Herbert S. Hadley made the principal argument here today for the state in the Missouri rate case and a great array of railroad attorneys and others were on hand to hear him. Judge O. M. Spencer of St. Joseph, Mo., general solicitor of the Chicago, Burlington & Quincy, made the leading argument of the day for the railroads.

Gov. Hadley asserted that the proposed freight rates were reasonable and that if the railroads would stop discriminating they could easily comply with a 2-cent law. Judge Spencer declared that the law was enacted for the sake of securing popularity.

"The railroads have demonstrated the falsity of their contentions by their unquestioned prosperity during the course of the last 10 years.

"The railroads have themselves demonstrated the reasonableness of the 2-cent rate. If they would stop discriminating and discriminating between those who are best able to pay as against those who are least able to do so, they could easily comply with the 2-cent law. If in 10 years with an increase of passenger traffic of approximately 100 per cent, and an increase in equipment and mileage of but 22 per cent, the railroads are not abundantly able to comply with these laws reducing freight and passenger rates, then they have demonstrated that they are not nearly so efficient as operators as we are witnesses."

Judge Spencer said in part: "This is not a fight against Missouri but a fight for Missouri. The railroads have made Missouri the fifth state in the Union, and if let alone will help her go nearer the top of the list."

"The maximum freight law under consideration, came about as the result of political conditions and not from any public demand or public necessity."

"It followed, as such laws usually do, the agitation of reform and the change in party power. It came into existence in Missouri because the majority of the legislature made its appearance in Missouri. For the first time in 30 years, the political parties changed power in this state. The new party came around to see what action it might take to render itself popular with the people and without cause of reason, assailed the railroads with this maximum rate law, following this later with a 2-cent law."

THE MYSTERIOUS STRANGER.

An interesting incident took place in the United States district court here today when Judge Smith McPherson, solicitor of the Atchison, Topeka & Santa Fe railroad, presented to Gov. Herbert S. Hadley a large sized picture of "The Mysterious Stranger," the gift of John T. McCutcheon, illustrator for the Chicago Tribune.

The presentation was made just after Gov. Hadley had concluded his argument before Judge Smith McPherson in the case of the Missouri railroads who are fighting the enforcement of the Missouri 2-cent and maximum freight rate laws. "The Mysterious Stranger," a creation of Mr. McCutcheon, made its first appearance in print in 1904 when Missouri for the first time in 30 years cast its electoral vote for a Republican for president. Gov. Hadley, who recently was inaugurated, is the first Republican governor of Missouri in 30 years.

When Mr. Lathrop took the picture to the judge's bench and after showing it to the court, turned it towards the jury, the courtroom, cheers broke out and the spectators applauded for nearly a minute.

Visibly affected, Gov. Hadley arose and accepted the picture.

"It is a source of the greatest gratification that after four years of service for the people and at a moment when they thought I had made good enough to make me their governor, I may represent the party at whose head the 'Mysterious Stranger' but my administration as governor will be an administration for the 'Mysterious Stranger' but an administration for Missouri."

Judge O. M. Spencer of St. Joseph, Mo., followed Mr. Hadley. He said if there had to be a "Mysterious Stranger" in the Missouri state house, he was glad it was Herbert Hadley.

"Did you vote for him?" inquired Judge McPherson.

I did not, answered Judge Spencer. "Then you are like Andrew Carnegie and free trade," said the judge. "You're for it after it no longer affects you."

"I want to say," concluded Judge Spencer, "that we'll take care of the 'Mysterious Stranger' next time."

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HEATON TO SPEND LIFE IN PRISON

Youth Who Murdered Mary
Stevens Received Sentence
This Morning.

JURY RECOMMENDED MERCY.

Crime Was Committed in April of Last
Year—Confession Not Allowed to
Be Introduced at Trial.

(Special to the "News.")
Richfield, Jan. 22.—Life imprisonment at hard labor was the sentence pronounced upon Alvin Heaton, Jr., by Judge Chidister this morning, following the verdict returned by the jury yesterday, finding him guilty of the murder of Mary Stevens and recommending mercy.



ALVIN HEATON, JR.,
Sentenced to Life Imprisonment Today



MARY STEVENS,
The Girl Who Was Murdered by
Heaton.

mending him to the mercy of the court. The murder of Mary Stevens occurred in April of last year, when she was lured to the hills near Orderville, Kane county. There she pleaded with the young man, whose family holds a prominent place in southern Utah, to marry her. He refused, however, and killed her by shooting her in the back. He then hid her dead body under rocks and brush and made his way to his home.

The girl's body lay for several days where it had been hidden, but was finally found by a mere accident, a portion of her clothing being seen by a member of the searching party which had passed the pile of rocks and brush many times in its search, but had failed to notice the little piece of cloth.

The girl's family lived in Glendale, but she was attending school in Orderville. Heaton's home was in Orderville. Heaton, after the murder and up to the time of his arrest, had attracted no attention because of the ordinary manner of his conduct. The last seen of the girl alive, however, was when she was in his company, and the finding of the body was closely followed by his arrest. His confession also came soon after this, but it was not allowed to be introduced at the trial.

The verdict of the jury finding him guilty and recommending him to the mercy of the court was returned last night at 10 o'clock and the hour of sentence was fixed for this morning at 8:30, when the young man was taken into court and sentenced to imprisonment for life in the state prison.

Owing to the sentiment prevailing in the community in which Heaton lived, a change of venue was granted and the trial took place in this city.

McGILL, WYO., POSTMASTER.

(Special to the "News.")
Washington, D. C., Jan. 22.—Oscar C. Howard has been appointed postmaster at McGill, Albany county, Wyo., vice T. A. McGill, resigned.

THE CENTENARY OF LINCOLN

Illustrated.
The Lawyers of our Legislature
Illustrated.

Will form features of the
SATURDAY NEWS
tomorrow.

Frank G. Carpenter sends an interesting letter on the Mital Millions, a story of Japan's richest family.

Other features will be:
Pierce Queens of the Pacific
Apaches, Illustrated.

Lady Mary's London Society
Gossip.

Strange Story of a Countess,
who, born in luxury, prefers to
live in a garret.

Brancha Bunker, Banquet Re-
bure to His Own, Illustrated.

THINK WOMAN A GRAFTER.

Deputy Sheriff Corlies and Smith arrested today a woman giving the name of Dora Smith, aged 22 years, on the charge of obtaining money by false pretenses. It is claimed that the woman is a smooth grafter and has been "grafting" a large number of Salt Lake people by going from place to place taking subscriptions, supposedly for the purpose of sending a sick and destitute woman to her home in Colorado. A number of people were "grafted" in this manner, the matter was reported to the deputy sheriff, they started out to locate her. They found her on the streets this morning and placed her under arrest. She is in the county jail and will be arraigned before Judge Bowman tomorrow morning.

INTERNATIONAL NAVAL CONFERENCE

Impression Grows in London
Powers Will Not be Able to
Reconcile Differences.

UNITED STATES INTERESTED

Great Britain Working Desperately to
Prevent a Failure, Which Seems
Almost Certain.

London, Jan. 22.—There is a growing impression here that the powers will not be able to reconcile their differences and that the international naval conference which opened here last month is doomed to failure.

Great Britain is working desperately to prevent this, and she cancelled the meeting called for this morning after arranging that the committee shall take up the discussion of technical subjects only. These committee meetings will be continued until the delegates, whose insistence that the views of their governments shall prevail brought about the cancellation, have received more definite instructions.

America is included in this group, for the American delegates, acting on instructions from Washington, refused particularly to concede anything on the question of "continuous voyages." This question is regarded as vital by the United States, and having made concessions to the other powers on points regarded by them as vital, she is now looking for a little reciprocity, but up to the present time this has not been forthcoming. Great Britain is partly responsible for this situation, having suffered during the Russo-Japanese war from the enforcement of a principle which she always had upheld and in which America agreed with her, she has now been partly converted to the continental view.

The American delegates continue to maintain their aim, but it has been learned that they have held from the start that America was ready to make reasonable concessions which did not mean a too great impairment of her interests and which were not wholly in conflict with her laws and policy. Last week the conference was proceeding smoothly and the delegates were preparing that an agreement would be reached Feb. 1, and a code of laws drawn up and signed by the middle of the month.

The international naval conference was called by Great Britain to frame a code of laws for naval warfare and to establish the international prize courts as recommended by The Hague peace conference. The conference was to determine as many definite principles of maritime international law as possible. The United States, Great Britain, France, Germany, Italy, Austria-Hungary, Russia, Spain, Holland and Japan are represented. The American delegates are Rear Admiral Charles F. Stockton and Prof. George Gratton Wilson of Brown university.

PANAMA LIBEL CASE.

Root, Knox and Russell Before the
Grand Jury.

Washington, Jan. 22.—Secy. of State Root, Senator P. C. Knox of Pennsylvania and Asst. Secy. Charles W. Russell, of the department of justice, were witnesses today before the federal jury now sitting in this city investigating the Panama libel case. The large number of the morning was taken up by the grand jury in listening to the reading by Asst. United States Atty. McNamara of the various alleged libelous articles which appeared in the New York World and the Indianapolis News for several weeks preceding the recent presidential election, and on several subsequent dates in December. The jury will continue its work on Monday, as it does not sit on Saturdays.

PAUL J. HOLMAN DEAD.

London, Jan. 22.—Paul J. Holman, who was at one time connected with the geological survey at Washington and whose father, the late W. R. Holman, was a congressman from Indiana, died yesterday at the St. Pancras hospital in this city. Mr. Holman's family is in Los Angeles.

ARKANSAS BANK FAILS.

Little Rock, Ark., Jan. 22.—The Merchants and Farmers' bank of this place suspended yesterday and its affairs were placed in the hands of a receiver. No statement has been made of assets and liabilities.

FRIGHTFULLY LACERATED.

(Special to the "News.")
Pocatello, Idaho, Jan. 22.—James Tobin, a mill hand at the shops, met with a painful accident shortly before noon today, when the glove of his left hand was caught in the boring machine, resulting in the back of the hand being frightfully lacerated.

SOME WORK TO COUNT MONEY.

The proposed payment of its fine of over a million dollars to the state of Texas by the Waters-Pierce Oil company in silver dollars, has occasioned much remark in the United States, as to how long it will take to count all this treasure, as it weighs 30 tons or over. One teller says he can count \$2,000 in 15 minutes, but could not do so all day. The idea seems to be that 10 men can do the counting in two weeks, working eight hours a day. A thousand dollars in silver is about as much of a load as one man can well handle.

WOMAN'S PLEA FOR STATE PROHIBITION

Dear Sir—Inasmuch as there is hope for prohibition in this state, I, Pauline Peterson, wish to write a few lines telling you a little of my troubles brought on by alcoholism. For nine years I have had to support four children. My husband was given to drinking and would come home under the influence of liquor and commit acts of depravity for which he has been put in prison several times, and in the penitentiary two terms. As a result I have had much sorrow, poverty and misery in my home. I have been forced to tax my strength until I am now a physical wreck, and whiskey is the cause of it all. I wish you to read this to our law makers, and ask them for me and my children to make Utah a prohibition state, for then there will be much rejoicing, and none will have to go through what I have. For this I will ever pray.

(Signed)
MRS. PAULINE PETERSON,
CLARA PETERSON,
ANNE PETERSON,
CATHY J. PETERSON,
Thatcher, Utah, Jan. 18.

BOISE-BUTTE LINE BEING CONSIDERED

Prospects Declared to be Better
Than They Have Ever
Been Before.

THE CONFERENCE IS NOW ON

Capitalists Are In Idaho Capital Mak-
ing a Thorough Investigation of
State and City.

That prospects for the actual building of the long-mooted railroad between Butte and Boise, and the eventual extension southward through Nevada to a point near Winnemucca, are becoming extremely real, is the latest news from Boise. According to a story printed in the Capital News, John E. Bell, a Detroit capitalist, who for years was connected with the Michigan Central railway company; L. G. Wilkerson, a prominent capitalist of Alton, Ill.; S. M. Bracey, one of the largest capitalists of Chicago; and a man who has been extensively engaged in railroad building, and Fred Dolph of Aurora, Del., a capitalist of considerable note and attorney for the Rock Island Railroad company, are all in Boise for the purpose of thoroughly investigating conditions relative to the Boise-Butte line for which the survey has been made and which is regarded as one of the greatest openings for a railroad in the United States.

SURVEYED LONG AGO.

About one year ago Mr. Bell and Mr. Wilkerson spent some time in this section, making a trip into the Boise basin country over a part of the proposed route, which was surveyed several years ago, and then spent some time in the city investigating business conditions. Both gentlemen were greatly pleased with the outlook in this state, and were favorably impressed with the possibilities offered for a line into the big mining camp of Montana, which would penetrate a country rich in agricultural resources, minerals and stock raising. It being estimated that there is at least \$5,000,000 worth in close proximity to the proposed route.

HERE FOR BUSINESS.

"We are here for business this time," stated Mr. Bell, in a short interview in the office of Judge Holmerson, where the gentlemen were going over the plans, specifications and other data gathered at the time the survey was run to Butte. "Ever since I was here before and made an investigation I have been trying to interest Mr. Bracey and Mr. Dolph in the proposition and have succeeded in doing so to such an extent that they are here for the purpose of making a proposition to the people of this city. The proposition will be a reasonable one and if they want the route all they have to do is to accept it. The matter will be brought up before the Commercial club within a day or two as all of us are so busy we can only remain here a few days at the most."

MAKING DEEP INQUIRY.

During their stay the capitalists have been busy in the city investigating business conditions relative to shipments from this point, the amount of the survey run to Butte, and the relations with other points and matters of that nature which mean much to the great enterprise they have under consideration.

Judge J. H. Richards and W. T. Booth have been accompanying the men about the city and the two who were formerly here expressed considerable surprise at the growth since their first visit.

During the morning Mr. Bracey and Mr. Dolph made a trip up the river to the Barber dam to look over the ground from that point up the river to the Boise basin.

Those who are acquainted with the capitalists believe that a business proposition will be made the citizens which will result in the building of that at last, Boise will have another railroad.

RUTH BRYAN LEAVITT FILES DIVORCE SUIT

Lincoln, Neb., Jan. 22.—Ruth Bryan Leavitt, daughter of William Jennings Bryan today filed suit for divorce from William H. Leavitt. The petition was immediately withdrawn by Judge Parry.

The case involved the validity of the union between the Cumberland Presbyterian church and the Presbyterian church in the United States of America. The litigation arose over a contest between the two factions of the Cumberland Presbyterian church at St. Louis, Ky., one of which favored the union and the other opposed it. The case was decided in favor of the party which opposed the union, and held that the general assembly and presbyteries of the Cumberland Presbyterian church had exceeded their constitutional powers in forming the union.

STOCKTON STILL FLOODED.

Stockton, Cal., Jan. 22.—A large part of Stockton is still flooded. Morning and night channels began falling but midnight high night, but receded slightly on account of high water in the inland region to the west. Many basements in the business part of the city are full of water, but in many cases family built buildings kept the water out. There was loss to \$2,000 goods