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10 PAGES—LAST EDITION.

NOMINATION OF WILLIAM SPRY.

To be U. S. Marshal Causes Great Distress Among Anti-Smoot Forces.

BUT IT WILL BE OPPOSED.

It Will Be Fought Hard in the Senate Committee on Judiciary.

Will be by the Same Men Who Have Sought so Vigorously to Have Senator Smoot Unseated.

(Special to the "News.") Washington, D. C., Jan. 23.—The nomination of William Spry to be United States Marshal for Utah has caused great distress among the anti-Smoot forces here. They have persistently circulated reports to the effect that the president is opposed to Smoot and that he is securing his influence with senators by using his influence with senators to secure his unseating. The fact that the president listened to the senior senator in the matter of this important appointment is a complete refutation of these statements and indicates that Senator Smoot is recognized by the president as entitled to all rights accorded to any other senator. Spry will not be confirmed without a struggle, however, as religious intolerance will be manifest in the committee on judiciary as it has been in the committee on elections, and the same men who have so vigorously fought Senator Smoot will fight the confirmation of the man whom he has selected for the marshalship. Sylvanus Collett, forest ranger in charge of the Dixie forest reserve, Utah, has been promoted to a salary of \$1,200. Patents issued: Utah—Herbert C. Dean, Salt Lake City, skirt supporter. Wyoming—Charles M. Hurst, Rawlins, railway switch and signal mechanism. Also immediate and signal track trip.

KANSAS OIL REFINERS.

Appeal to Com'r Garfield for Justice Against Standard Oil Co. and Railroads

Chicago, Jan. 23.—A dispatch to the Tribune from Chanute, Kan., says: The independent oil refiners of Kansas have mailed to James B. Garfield, commissioner of corporations of the department of commerce and labor, an appeal for justice against the alleged conspiracy between the Standard Oil company and the railroads to shut Kansas oil out of the market. The refiners who signed the appeal have invested more than \$1,000,000 in refineries, tank cars, storage tanks, wagons and barrels. They claim that by reason of a conspiracy between the Standard Oil company and the railroads, they are limited to the state of Kansas for a market for their refined oil; that to all points outside of Kansas, the refiners are forced to pay a higher price for oil than the Standard Oil company, and that the refiners are unreasonably high and have been maintained at such reasonableness for no other purpose than to confine business of the independent refiners to the state of Kansas.

VICEROY'S TAXATION SCHEME CAUSES TROUBLE.

Canton, Jan. 23.—Serious trouble threatens to break out as a result of the viceroys' scheme for taxation in the Canton-Hankow railway. The merchants' guilds are determined on a retaliatory strike and threaten the leaders with deportation. Three Chinese gunboats have been summoned here from Shanghai.

STATE OF COMA RESULT OF BOXING.

New York, Jan. 23.—In a coma from which it has been impossible to arouse him early today is another victim of the Muhammad boxing club, which gives contests between mere boys. He is in the Seney hospital, Brooklyn, and is in a coma. He is 16 years of age, of 272 Bond street, Brooklyn. His surgeons had said his condition was such that he was struck on the solar plexus. Joseph Rivers, 16 years of age, of 272 Bond street, Brooklyn, alleged manager, Donald Gilroy, and William McKeown, alleged referee of the bout, are prisoners charged with felonious assault upon Tighe.

No policemen were present, it is said, at the boxing contests of the Sir John club, at No. 48 Third avenue last night. There had been two fairly even rounds and the third was half over when Tighe, it is alleged, sent his right to Tighe's body, striking squarely about the nerve center, called the solar plexus. Tighe crumpled up and as he fell his opponent drove hard to his jaw. Tighe was taken from the ring by a physician. After a physician had failed to revive him, the boy was removed to the hospital.

THE HAZING TRIALS.

Dr. Snyder Recalled to Rebut Midshipmen's Testimony.

Annapolis, Md., Jan. 23.—Lieut. C. P. Snyder, who has been accused by the testimony of several midshipmen, witnesses in the case of First Classman Claude B. Mayo, charged with hazing of midshipmen should be hanged, and the opportunity might be afforded, was recalled in rebuttal by the judge advocates.

the trial of Midshipman Richard R. Mayo, also a first classman and an appointee of President Roosevelt.

The only other midshipman now under arrest on charges of hazing is Ned L. Chapin of Pasadena, Cal. He is a first classman also, and last year stood No. 23 in his studies in the class of 122 men.

PITTSBURG BROKERS FAIL.

Boise, Jan. 23.—Ed. Gartner & Co., stockbrokers and members of the Pittsburgh stock exchange, made an assignment today. Their liabilities will exceed \$200,000. Samuel A. Steele of this city was appointed assignee.

OLLIE POWELL DEAD.

She Was Shot Yesterday at Boise by Neubeaumer.

Boise, Idaho, Jan. 23.—Ollie Powell, one of the four persons shot here yesterday by Henry Neubeaumer, a wealthy Alaskan miner who later killed himself to avoid being taken by the police, died early today. Death resulted from seven bullet wounds in the abdomen. Lafayette Gray, the youth for whom Ollie Powell killed the miner, is not expected to live through the day. He also suffered bullet wounds in the abdomen. His mother, Mrs. Robert Gray, is in the hospital. Young Gray's sister, Lillian, the fourth person shot down by Neubeaumer, will recover. She is wounded in the right side and the right arm. An inquest over the body of Neubeaumer was held today. The evidence produced left no doubt that Neubeaumer's malicious desire to kill was due to the fact that Gray was in the line of duty. Young Gray after Neubeaumer had lavished presents on her and spent his money to give her an education.

NEW WORLD'S BOWLING RECORD.

Chicago, Jan. 23.—Rolling a great series in the Monroe League last night, the Anson team set a new world's bowling record for three games, averaging 10.62. The best previous figures on the books of the American bowling congress were 10.61-1.4 made by the Beninger team last year in the Chicago league. The Anson team, however, over the four mark each time and although scoring 1,208 in their second venture, was beaten by 2 pins by the Hoffman team. The other two games went to the Ansons.

ENRAGED LOVER SHOOT THREE PEOPLE.

New York, Jan. 23.—Enraged because he was told to curb his attentions to Lillian Murphy, aged 17 years, Paul Delitz, a youth of 18 years, last night captured her, shot her, her brother, George, 16 years, and her mother, Mrs. Della Murphy, in their apartments at 677 Wales Avenue, the Bronx, wounding all three dangerously. The girl can hardly recover, the others may.

WILL BE A CARNEGIE HEIRO.

Pittsburg, Jan. 23.—It is understood here that Capt. Casto and crew of the Alberta will be honored by the Carnegie hero fund commission. They will receive medals or money, possibly both, for their work in rescuing the passengers from the Cherokee at Atlantic City. Manager Wilcox of the Carnegie hero fund, said last night: "The hero fund commission finds that the work of rescue performed by Capt. Mark Casto and his crew of the Alberta was not in any way overdrawn. All that is needed is for the commission as a whole to pass on it."

A GREAT GOLD BRICK.

One Worth \$200,000 Found While Dismantling the Old Alameda Mill.

Albuquerque, N. M., Jan. 23.—In dismantling the old Alameda mill, a large lump of gold was discovered. The gold was found in the mill race, and is supposed to be worth about \$200,000. It is supposed to have been stolen and hidden by some former employee of the mill when the latter was in operation 10 years ago. The contractors have been taking out the machinery to ship to the United Verde mine in Arizona. Great secrecy has been preserved about the discovery.

STEAMER TROJAN LOST.

In Collision With the Nachoochee, Which Took Off Captain and Crew.

Boston, Jan. 23.—The loss of the steamer Trojan, of the Boston & Philadelphia line in collision with the steamer Nachoochee of the Canton-Hankow railway, Sunday last Sunday was reported here today by the Nachoochee, which arrived at Canton. The captain and crew of the Trojan were taken off by the Nachoochee.

CHINESE COMMISSIONERS ARRIVE IN WASHINGTON.

Washington, Jan. 23.—The Imperial Chinese commission, sent to this country by the emperor of China to study American social, political and industrial conditions arrived here at 11 o'clock on a special train from Chicago. They were met at the station by the Chinese consul, and taken to the department, where they will look after their comfort during the 15 days that they will be in the city. Dr. Denby, chief clerk of this work on account of his knowledge of the Chinese language and customs. The commission spent the morning resting from the fatigue of the long trip. In the afternoon they will call upon Secy. of State, and visit the state, war and navy departments.

LOSS OF THE AQUIDABAN.

Secy. Bonaparte Sends a Telegram of Sympathy to Brazil.

Washington, Jan. 23.—Immediately upon receipt of official news of the destruction of the Brazilian battleship Aquidaban, Secy. Bonaparte sent a telegram to the Brazilian minister of marine, extending sympathy.

BINGHAM APPOINTS DEPUTY.

New York, Jan. 23.—Rhineland Waldo was today appointed first deputy police commissioner of New York City, under Gen. Theodore A. Bingham.

CHARGED WITH FELONY.

Joseph Dye, the young man arrested for vagrancy and later discharged by Judge Diehl, was arraigned in the city court this morning on the charge of a felony. The county attorney issued a complaint charging Dye with putting his 17-year-old wife Marie in a house of ill-repute for immoral purposes. A plea of not guilty was entered, and the case was set for next Friday morning.

DIVES MAY RUN IF THEY PLEASE.

All They Have to do to Continue Business is Say They'll Be Good.

GENERAL "CLEAN UP" ORDER.

So Vague and Indefinite as to Mean Nothing—Judge Diehl's View is to Stop License.

It appears that the dives and joints of the city may continue business on the promise to "clean up." There is no revoking of license so far as known. Judge Diehl has informed the police how they can stop the joint and dive robberies. He says revoke permission to sell liquor. Sheets says, in effect, he will only close them when they fail to do what they are wanted to do. In this connection it will be interesting to note that a license was issued to the proprietor of the Black Cat saloon on Dec. 19, 1905, and that it will not expire until March 13, 1906.

THEY WILL COME VERY SOON.

Snow is Now Very Deep and More is Expected to Fall Within The Next Few Days.

That With Rising Temperature Means That the Lives of Scores of Miners Will Certainly be Imperiled.

That more great snowslides are due this winter than for many years is the opinion of men who spend their lives in the mountains and who know the way the snow is packed in the Cottonwoods and other steep canyons around Salt Lake. The slides of Saturday and Sunday, are only the beginning, and it is anticipated that the next few weeks will be particularly dangerous ones, and that more snow and warmer weather will add to the peril of passing through the mountains and specially from camping in the canyons.

ATTEMPTED MURDER.

Spanish Girl Shoots at Her Sister, Barely Missing Her.

At an early hour this morning, in a house of ill fame at the rear of 243 south East Temple street, an attempt to murder was made as a result of a row between two sisters named Reeves, inmates of the house.

LOSE THEIR LIVES IN IMMENSE SNOWSLIDE NEAR SILVERTON, COLORADO.

Silverton, Colo., Jan. 23.—Five Italian miners employed at the Sunnyside mine lost their lives in an immense snowslide late yesterday afternoon. No particulars or the names of the men can be obtained as the telephone line is down and communication of all kinds destroyed. The mine blacksmith shop and several turnouts are also known to have been swept away.

HOW IS THIS FOR HIGH?

American Text Books Printed in Japan and What They Cost.

San Francisco, Jan. 23.—Customs Collector Stratton is holding up a consignment of American school text-books printed in Japan, pending a further investigation as to their admissibility. They are first, second, third and fourth readers and are believed to be a violation of copyright laws. The wholesale price is \$1.98 a set. The cost of the street department was \$20,237.24. The cost of the irrigation department was \$24,436.39. The street sprinkling department of the city cost \$31,366.31 during the year, a decrease of \$609.11 over the cost for the year 1904.

WORK ON THE STREETS.

Supervisor's Report Places the Cost For 1905 at \$80,237.24.

The annual report of former Street Supervisor Seddon for the year 1905 has been filed with Mayor Thompson, and shows the polltax receipts for the year to be \$13,321.15. Of this amount \$2,442.53 was cash collections, and \$11,112 was labor performed. The total expenditures of the department for the year amounted to \$104,733.83, and the work done and material furnished for other city departments during the year amounted to \$12,752.16, leaving the net expenditures \$91,981.47. The cost of the street department was \$20,237.24. The cost of the irrigation department was \$24,436.39. The street sprinkling department of the city cost \$31,366.31 during the year, a decrease of \$609.11 over the cost for the year 1904.

READY FOR DEBATE.

Utah Will meet Colorado at the Salt Lake Theater Tonight.

Tonight at the Salt Lake Theater the University of Utah meets the University of Colorado in an intercollegiate debate, and special interest has been injected into the contest on account of the fact that Utah would value a victory over Colorado more highly than over any other western school, and is now smarting more or less under the sting of defeat on the gridiron.

WORK OF THE YEAR.

During the year the commission has visited cities and towns in the following counties: Salt Lake, Utah, Sanpete, Sevier, Juab, Davis, Weber, Tooele and Boxelder. He found the stocks of the merchants in those counties generally in good condition.

MAUFACTURER IS HELD LIABLE.

State Food and Dairy Commissioner John Peterson has filed his report for the year 1905 with Gov. Cutler. The report states that the department has been very successful during the year in ridding the Utah market of impure and adulterated food products, and the commissioner finds that the greatest good is done in this work by holding the jobber and manufacturer liable for violations of the pure food law rather than prosecuting the retail dealer, who has been practically free from any intent to violate the laws.

GIFT TO CHARITY.

Walker Bros. to Divide Next Week With Deserving Institutions.

During the coming week the Walker Bros. Dry Goods company will devote 10 per cent of each day's proceeds to some worthy local charity, and meetings were held last evening by leaders among the various organized charities to arrange for such division of money to be distributed as may be equitable. The schedule of gifts is as follows:

TIME OF LAST CAR.

Will Leave Main Street at 12:30 on And After Feb. 1.

The bookkeeper wrestling with the tribulations of a trial balance, the young man who sees his affinity home from the theater, and the common or garden variety of mankind with a weakness for owl hours will be accorded an additional 30 minutes grace in order to catch the last car on East Temple street on and after Feb. 1.

FOOD TESTS MADE.

The food tests made during the year

MORE SNOWSLIDES SURE TO OCCUR.

Men Who Know What Mountain Life is in Winter Time Point Out Dangers.

PAISLEY CASE STILL UNDECIDED.

Alleged Butte Hold-up Declines to Return and Fights for Freedom.

REQUISITION PAPERS HERE.

Attorneys Who Have Been Secured by The Accused Promise a Legal Battle.

Gov. Cutler is this afternoon having presented to him the facts in the case of William Paisley with the object in view of securing his recognition of the requisition papers issued by Gov. Toole of Montana. Should his excellency determine that the papers are in accordance with the facts and honor the requisition it is anticipated that the attorneys for the accused hold-up will carry the case into the district court, and fight the removal of the prisoner out of the state to the last ditch. The papers arrived in this city this morning, and City Detective McGuffey, in whose charge the prisoner has been since his dramatic arrest, as told in the "News" of Saturday, will leave no stone unturned to get his prisoner back to Butte. He is confident that he has the right man.

OFFICE FUMIGATED.

Bookkeeper to City Engineer Has the Smallpox.

The city engineer's office has been the scene of a number of disturbances lately and not all of them were political either. The latest disturbance was last night, and the cause of it was S. W. Brown, bookkeeper in the office. When Mr. Brown quit work yesterday afternoon he complained of feeling ill. He went to the health office and told his troubles to one of the quarantine inspectors and was immediately informed that he had the smallpox. He then went to the home of his daughter, where he is now under quarantine.

SEEKING NEW FRIENDS.

Salt Lakers Will Go North Tomorrow To Get Acquainted.

With a band to play for a friendlier feeling between Salt Lake and her sister cities, and with banners flying from the cars to the special train leaving for the north, the Salt Lakers will leave tomorrow morning at 8 o'clock for Logan city and away stations.

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GLOOMY VIEW OF RUSSIAN AFFAIRS.

Alex. Barry of Moscow Says People Are Not Ripe for Constitutional Regime.

MASSSES ARE INDIFFERENT.

Neither Understand Nor Care for True Political Rights—Incapable of Popular Regime.

Up to the Present Time Revolutionary Ideas Have Found No Lodgment in the Army.

Moscow, Jan. 23.—Alexander Barry, a naturalized American who is among the prominent manufacturers of Moscow, talked exceedingly gloomily of the situation here. Mr. Barry employs from 300 to 3,000 men and unquestionably has a more profound knowledge of Russian conditions than any American in the empire. He is convinced that the Russian people are not ripe for a full constitutional regime.

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