12 PAGES -LAST EDITION

FRIDAY JANUARY 18 1907 SALT LAKE CITY UTAH

Winter Quarters, Utah, Jan. 18.

himself with the same weapon immediately after, Mr. Brown had saught the attention of Mrs.

Early but was rejected. Unpleasant words had passed between them during the day. William

Brown and wife came from De-

troit, Mich., five years ago, but

leaves three young children who

grandparents, Mr. and Mrs. A. H.

BIG CONVENTION

It is Desire of the Wool Growers

To Keep the Next Ses-

sion West.

SALT LAKE GOES AFTER IT.

Invitation From the Commercial Club

Is Read and Greeted With Cheers

By Assembled Delegates.

Nine cities are out after the next

(forty-fourth) convention of the Na-

tional Wool Growers' association. It is the desire of the association's members to keep the next gathering in the west. The treatment being accorded the 1,000 visitors now in this city has

won each and every one of them and

Salt Lake is one of the three favorites.

Helena, Montana, and Albuquerque,

New Mexico, are running strong. The vote will be taken tomorrow morning.

The cities now in line are: Salt Lake

City, Helena, Albuquerque, Sacramen-

to, Cal., San Jose, Denver, Colo., James-

town, Virginia; Chicago and New York.

Jomestown wants the visitors during the exposition. Chicago, New York

City and Jamestown are at the bot-tom of the list in favor.

SALT LAKE'S BID.

The following invitation, addressed to

Salt Lake City, Utah, Jan. 18, 1907. Gentlemen: We have the honor to

membership of the association.

State of Utan and those states imme-

diately adjacent to her where the busi-

ness of sneep raising is in many by

count that no city that might be se

fected by the convention can so surely assure a large and enthusiastic at-

tendance upon the sessions of the convention, as can this city, and this for reasons obviously plain.

In the even of the selection of this

city as the place for noising the forty-fourth convention we very earnestly promise that neither trouble nor ex-

pense will be spared to see that you are

comfortably housed and entertained. Thanking you for the courtesy of you

careful consideration of this invitation,

By Charles A. Quigley, President.

A committee on constitution and by

slager, Idano: H. A. Jastro, California

Mfning and Smelting-Barnett, Mc-Rae, Long, Bowns, Taft,
Municipal Corporations-Robinson.

Maughan, Nephl Jensen, Randall, Mil-

Public Health-Hone, McMillan, Rich-Lands-Bowns, Dean, Eldredge,

Public Lands
Hendricks.
Public Printing—McRae, Bower, DaPublic Printing—McRae, Bower, Davis, Critchlow, Parry,
Railroads and Common Carriers—
Robinson, Maughan, Jackson, Kuchler,
Bowns, McMillan, Dorius, Long, Tolton,
Rules—Joseph (by house selection),
Robinson, Richards, Dean, McMillan,

Robinson, Richards, Robinson, Richards, Bower, Tolton, Belaries and Fees-Walton, Clegg. Salaries and Fees-Walton, Clegg.

Salaries and Fees-Walton, Clegg. Croft, Nephi Jensen, Parry. School for the Deaf and Dumb and the Blind-Randall, Jackson, Thomp-

son, Dorius, Meeks,
State Library — Mills, Jackson,
Thompson, Dorius, Meeks,
State Mental Hospital—Maughan,
Devring, Sutton, Bower, Giles.
Statistics—Davis, Mills, Jackson, Cottam,
Taft,
Joint Committee on Revenue—Hen-

Dorius, Meeks,

rie, Maughan,

BOARD OF GOVERNORS.

appointed. It comprises Mexico; Judge Stock-

is nomin. Chicago, and

as made that all to meet in Armory

Walker of Cheyenne.

ter the morning session

ness of importance i

oon in the secretary's

and Prison - Marks.

e, Bowns, Larson, orations—McMillan, Mc-lephi Jensen, Jackson,

dings and Grounds-West-

Maughan, Barnett, Larson, ds-Dorlus, Croft, McRae,

Convention hall.

west Third The M. and M. A.; Real Estate ion and ailled organizations "at home" to visitors at 4:30

we have the namer to-remain, Very respectfully,

Harry Lee.

hall directly

Secy. George S

association and

o'clock this afternoon.

in this city.

In this conu

the officers and members of the National Woolgrowers' association, was read and accorded great applause:

they soon separated. Mrs. Earll

are now being cared for by their

NINE CITIES WANT

Earll, at Scofield.

SUBJECT OF "DIPS"

Dr. E. D. Titus Hands Out a Hot Roast for Government Officials.

WROTE TO PREST ROOSEVELT.

And Only Then Did the Department of Agriculture Sit up And Take Notice.

Second Day's Proceedings of the National Wool Growers' Convention -Some Good Addresses,

The second day's proceedings of the National Wool Growers' association opened this morning, in Armory hall, with Vice President Dr. J. M. Wilson of Douglas, Wyo., in the chair, and leorge S. Walker at the secretary's

table. Held's band was in attendance o furnish the usual excellent music. The first speaker of the day was to have been H. J. Giltiman, secretary of the Montana Wool Growers' association, Helena. But he was not able to be present, so the next speaker on the list appeared, Dr. E. D. Titus of Minneapolis, who handed out a hot roast for the department of agriculture to consider, on the subject of "Government Dips." His most important statement was made towards the last of his address when he said, "I consider that address when he said, "I consider that the stockmen of this country have lost millions of dollars through the incom-petency of those in charge of the bu-reau of animal industry!" The occasion of the doctor's remark was the fact that years ago he had compounded a special sheep dip, but which the offi-cials of the department at Washington was indignosed to consider until de-

special sheep dip, but which the officials of the department at Washington were indisposed to consider until demands from various sections of the country induced them to recognize Dr. Titus' claims. The speaker exhibited a case of vials containing various chemical preparations for disinfecting and cleansing, based on coal tar preparations, noticeably benzole, observing at the same time. "It is the fault of the government that you stockmen cannot buy this sheep dip at 20 cents a gallon," showing a perfected dip preparation. The speaker said he went to Texas early in the nineties to study animal diseases peculiar to that section of the country, and found that the tobacco dip was not reliable. The sulphur-lime did the work expected of it; only it did more, it burned the wool, as it is a caustic, and injured the sheep. The application had to be made with bot water, which made it estay for the animals to catch cold and then die from pneumonia. Dr. Titus then devised a dip which could be applied with lukewarm water, and ayolded all the undesirable effects of the lime-sulphur article. But he was told in Texas that the department would give him no show, and if he ever succeeded in introducing his dip through government agencies he would be a good deal older and grayer than he government agencies he would be a good deal older and grayer than he was then. The speaker said he did try, and it had taken five years of try, and it had taken nive years hard fighting to secure recognition from the government. In April, 1891, when he sent his first communication to Washington offering to send on several barrels of thepreparation at his own expense. The reply from Dr. Farring-ton was curt and brief: "This depart-ment, in the interest of the stockrais-ers, has decided to make no further ex-periments."

periments."

Dr. Titus then wrote to Secy. Wilson.

The reply, curt and brief, like the other,
taggested to the surgeon that the same
man had dictated both letters. So Dr.

This said he Titus said he got growers in Iowa, Missouri and Dakota interested, and set them to writing to Washington, and the Minneapolis man was informed from Secy. Wilson's office that unless ils communications were addressed in 1 more respectful tone, no attention would be paid to them. Dr. Titus then wrote to President Roosevelt, with more tangible results. The speaker The speak pred the appointment of a committee by the association to examine into the merits of the new sheep dip, offering the free use of the committee use of his laboratory to

DR. RAMSEY'S SPEECH.

D. R. A. Ramey, of the United States D. R. A. Ramey, of the United States breau of animal industry at Washington, D. C., was the next speaker, His subject was, "Best Methods of Eab Eradication From the Governments Standpoint," "After a large number of experiments in methods to radicate scab we feel that we have attained success," he said, "The plan is to deal with the disease in that state in county where the disease exists, Quarantine rules, properly enforced, I believe, will be effectual. It has been dyanced that dipping should be done at destination. This might work theretically, but it is not practical. The townment cannot quarantine stands and prevent them from receiving diseased sheep. A good sheep law has been accepted by several states included. ind prevent them from receiving dissased sheep. A good sheep law has
been accepted by several states, including South Dakota. This iaw is short
and says sheep must be dipped before
toing out or coming in. This law is
well enforced and it has great power,
lithough four or five lines
one. Sheep cannot be unloaddid without being dipped. The
aw is too short and the government
senset co-aperate with a state having
such a law. I remember one illustrabea showing that South Dakota's law
loss not provide for many emergencies.
A trainload of sheep was brought into
teation but could not be unloaded unill dipped. It was not possible to dip
the sheep in the cars. The owners of
the consignment finally thought up a
long the side of the train and drove
has sheep through the trough. Thus
aw,
The government believes, I repeat
hat sheep should believes.

The government believes, I repeat, hat sheep should be kept clean within helf original state. Each and every learning state should co-operate sarily with the government. The government and and states will both define a state from this co-operation. The government cannot interfere with sate ights. It is up to the states to it work designed for their own lood.

HOW TO GET RECOGNITION.

To get recognition from the departises, all petitions, communications and as be accurate; facts must be presided. Any district, any state or any satisfied. Any district, any state or any satisfied something within reason and sping within habitant ruth, in askfer you as the fruit. This advice, I see while around Washington.

The department is interested in the source of the carnic Alps near the Taglian fall, the annual precipitation amounting to about 96 inches. The population of the town is about 2,000 and the commune over 5,000.

June 20 this place, at 4:20 this morning. The inhabitants, panic-strickent, fill should be definite. All data morning. The inhabitants, panic-strickent, fill should be definite. All data morning. The inhabitants, panic-strickent, fill should be definite. All data morning. The inhabitants, panic-strickent, fill should be definite. All data morning. The inhabitants, panic-strickent, fill should be definite. All data morning. The inhabitants, panic-strickent, fill should be definite. All data morning. The inhabitants, panic-strickent, fill should be definite. All data morning. The inhabitants, panic-strickent, fill should be definite. All data morning. The inhabitants, panic-strickent, fill should be definite. All data morning. The inhabitants, panic-strickent, fill should be definite. All data morning. The inhabitants, panic-strickent, fill should be definite. All data morning. The inhabitants, panic-strickent, fill should be definite. All data morning. The inhabitants, panic-strickent, fill should be definite. All data morning. The inhabitants, panic-strickent, fill should be definite. All data morning. The inhabitants, panic-strickent, fill should be definite. All data morning. The inhabitants, panic-strickent, fill should be definite. All data morning. The inhabitants, panic-strickent, fill should be definite. All data morning. The inhabitants, panic-strickent, fill should be definite. All data morning. The inhabitants, panic-strickent, fill should be definited. All data morning. The To get recognition from the depart-

SUBJECT OF "DIPS"

SUBJECT OF "DIPS"

ANSES A RUMPUS

now used. Tobacco and sulphur or sulphur and lime are good combinations and recognized. Coal tar is not recognized as the department chemists have not been able to find just what it can or will do. The department has been criticized for its attitudes regarding "dips" but the government will continue to refuse recognition to "dlps" which have not shown what they can do., Recognition will follow investigation."

OVATION FOR OGDEN SINGER.

Miss Irene Streng of Ogden followed with a rendition of "Carissima." An ovation was accorded her and Miss Streng then sang "My Rosary." She was given a second vociferious encore. She followed with "Annie Laurie," and the convention went wild. Hundreds jumped to their feet and cheered. Some one away back in the hall made a motion that the association present Miss Strong with the big boquet of roses on the speaker's table. President Wilson handed the beauties to the singer amid a storm of prolonged applause. Miss Streng's accompanist was Miss Celeste Conroy, also of Ogden.

Streng's accompanies was also certain Conroy, also of Ogden.
"Scab Eradication Methods from a Sheepman's Standpoint," was next discussed by Robert Taylor from Abbott, Neb., and Casper,

MR. GILTMAN.

Mr. Taylor was followed by A. T. Glitman, secretary of the Montana Woolgrowers association. Mr. Glitman was to have delivered the first address on the program, but the Montana delegation was late. His subject was, "Depredations of Predatory Wild Animals." "The Future of the Association" was discussed by E. S. Gosney, president of the Arizona Woolgrowers' association. Mr. Gosney's talk was scheduled for tomorow afternon's program, but the change was decided upon this

COMMITTEE ON RESOLUTIONS. The following delegates were se-The following delegates were selected to constitute a committee on resolutions: P. Sullivan of Arizona, F. Gooding, Idaho; Dan P. Smythe, Utah; H. E. Campbell, Ariz., and J. E. Bower of Montana. The morning session adjourned shortly after noon and the committee on resolutions went into session mittee on resolutions went into session in the secretary's office at once. The delegates spend this afternon at the fine and fat sheep show now on in full swing at the fair grounds.

ADDRESS TO CATHOLICS.

Pope Will Appeal for Assistance in Crisis in France.

Rome, Jan. 18.—An address to Catholics all over the world is being prepared by the pope. In it his holiness will appeal to them for support and assistance during the crisis in the affairs of the church growing out of the new French laws

HARGIS' APPEAL DENIED.

Frankfort, Ky., Jan. 18 .- In the court of appeals today the petition for the writ of prohibition to prevent Judge Carnes from trying the case of Judge James Hargis, charged with the murder of Dr. B. D. Cox, was denied. This decision sustains Special Judge Carnes.

SCHOOL BOY KILLS RUSSIAN OFFICIAL.

Smolensk, Russia, Jan. 18.—The chief of the rural administration, N. Krollau, was killed Thursday night by a schoolboy named Boriokoff, as the chief was leaving a concert hall. The boy, who fired five shots from a revolver at his victim, was immediately shot and killed by an officer who was in attendance upon Krollau.

TO STUDY EVAPORATION.

Asst. Hydrographic Engineer Martin

Recommends Station on Salton Sea. Los Angeles, Jan. 18.—W. F. Martin, assistant engineer of the department of the bureau of hydrography has submitted a report, the result of extended investigation, to W. B. Clapp, head of the department recommending that the United States government establish a station on the ernment establish a station on the shores of Salton sea for the study evaporation. The recommendation made on the supposition that the break in the evaporation. The recommendation is made on the supposition that the break in the Colorado river will be closed. Otherwise there would be no opportunity for scientific study along the lines proposed.

Mr. Martin expresses the opinion that Salton sea, under normal conditions, offers advantages for the study of evaporation which are to be found at no other place, and believes that

at no other place, and believes that the results would be of general scien-

SHEA TRIAL ARGUMENTS.

Chicago, Jan. 18.—The final argument in the Shea trial was begun today by Asst. State's Atty. Miller. The case will go to the jury fonight or tomor-row.

SHEET OF ICE OVER ALL.

Kansas City, Jan. 18.—This portion of the southwest is still plastered with a thick coating of ice. This condition has existed for 48 hours and today there was little prospect of immediate relief. Late yesterday a warm rain fell but during the night freezing weather turned this into sleet, placing a third coating of ice over the ground and wires within as many days. Telegraph and telephone service in all directions from Kansas City was still demoralized and trains were delayed.

JUDGE'S ASSAILANT INSANE.

Chicago, Jan. 18.—Fred Elenbrock, who on Dec. 21 attempted to assassin-ate Judge Charles S. Cutting of the probate court, today was adjudged insane.

CATHOLIC WORKMEN ADJOURN. Lowa City, Iowa, Jan. 18.—The Catholic Workmen of America closed its national convention here today. Joseph Jirousek of Plattsmouth, Neb., was elected president.

Census—Martin Jensen, Marks, Croft, Mills, Taft.

Claims and Public Accounts—Hendricks, Dorius, Weston, Bensen, Bandall, McRae, Parry.

Contingent Expenses—Jackson, Kuchler, Deyring, Critchlow, Sutton, Hanson, Meeks.

BUSCH HAS A RELAPSE.

St. Louis, Jan. 18.—Adolphus Busch, the brewer, who was attacked with pneumonia several weeks ago, has suffered another relapse, and his condition today was again reported as grave.

WALSH INDICTED.

Chicago, Jan. 18.—John R. Walsh, for-mer president of the Chicago National bank of this city, which closed its doors Dec. 16. 1965, was today indicted by the federal grand jury for alleged mis-conduct in the management of the fi-nances of the bank.

AN EARTHQUAKE IN ITALY.

Udine, Italy, Jan. 18.—A severe earth-quake shock was felt at Tolmezzo. 29 miles from this place, at 4:20 this morning. The inhabitants, panic-strick-en, fied from their houses. There was no loss of life.

DEATH SENTENCE FOR LIFE SERVERS

Bill in the Senate to Kill Refractory Prisoners Who Use Weapons.

ARE GETTING DOWN TO WORK.

Senators Busy Preparing Bills to Submit in Near Future so That Committees May be Kept Active.

If a bill introduced by Senator Benner X. Smith passes the house and senate, there will be a different outcome to demonstrations at the state prison especially those of the extreme "rough house" order.

The bill has this striking clause: "Every convict undergoing a life sentence in the state prison of this state vho, with malice aforethought, commits an assault upon the person of another with a deadly weapon or instrument or by any means or force likely to produce great bodily injury, shall, upon conviction thereof, suffer death."

PRISON "CARNAGE."

Senator Smith, in commenting on the bill, said that there were in the prison on the east bench many "lifers" who on the east bench many "lifers" who were looked upon by their comrades in safe keeping, as specially bold, and specially desperate. "Hardboiled" is the named used by the convicts to brog of their own condition, and these "lifers" in trying to live up to their reputations, get spirits hard to break by any ordinary methods. They refuse to give in to bread and water diet until they are compelled to for fear of getting a reputation of showing the "white feather."

BRIEF SESSION HELD.

The senate yesterday afetrnoon held only a thirty-minute session. In that time three important bills were introduced, and went their way to committee rooms, the courtesies of the Bell Telephone company were accepted by a vote of six to nine, and an invitation was considered to go in a body to the fine and fat sheep show this afternoon. President Love was absent, at the sheep convention, and in his place Sentor Lawrence occupied the chair. When the debate on the telephone courtesy came up Lawrence left the chair, turning it over to Benner X. Smith in order to state that he thought the acceptance lessened the dignity of the senate and placed it under needless ob-The senate yesterday afetrnoon held nate and placed it under needless obligation.

In the roll call vote which followed,

In the roll call vote which followed, on the insistence of Lawrence the ayes were nine.—Bullen, Callister, Clegg, Gardner, Johnson, Miller Park, Rasband and J. Y. Smith. The six "hays" were Brinkerhoff, Hollingsworth, Hulaniski, Lawrence, B. X. Smith, and Williams. The affirmative votes are largely out of town votes, and carry the special significance that the salary of a senator is only \$4 a day and that he has business interests at home which must be looked after while he is here, largely through the use of long distance telethrough the use of long distance tele

THE REASON WHY.

With hotel bills alone, already ex-ceeding his salary, the country member does not rejoice in the prospect of hav-ing long distance calls added to the expensiveness of serving the state in a legislative capacity. A number of the country members resented in private conversations the attitude of Salt Lake senators in forcing them on rec-ord in a matter of accepting telephone courtesies, against a solid vote from those who are not under the expenses of the visiting members. At 2:30 the senate adjourned till this afternoon. Senate bill 3, by Benner X. Smith, is

Senate bill 3, by Benner X. Smith, is the medicine measure drawn up to replace existing statutes by the state medical association. Smith introduced it by request, and its main provisions are substitutes for those now in force, with the addition that a state medical board is called for with offices in the capitol building, and power to revoke the license of any physician found guilty of unprofessional conduct. It is expected that by Monday a large number of bills will be in the hands of committees for their consideration. of committees for their consideration, as the legislature is anxious to get

down to business. JOSEPH'S COMMITTEES.

List of Those Who Will Serve in the House During Coming Session.

In the house yesterday afternoon Speaker Joseph precipitated his initial supply of troubles by announcing his committees. There were not enough places to go around, and the usual com-

places to go around, and the usual com-plaints that are present at all such mo-ments in all legislative bodies, were quickly brought to the fore.

The conspicuous complaints come from the fact that Critchlow, whose purpose in the house is to champion railway legislation, is left off the rail-road committee, and the fact that men from Park City and other mining cen-ters are not on the mining centers are not on the mining committees. The list of appointees is as follows: Agriculture and Horticulture—Bow-ers, chairman; Hanson, vice chairman;

Fuller, Hendricks, Martin Jensen, El-dredge, Cottam. Appropriations—Kuchler, Hendricks, Henrie, Hanson, McRae, Eldredge, Hone, Miller, Meeks, Banking and Insurance—Deyring, Kuchler, Westphal, Clegg, Robinson, Census—Martin Jensen, Marks, Croft,

ler. Deyring, Critchlow, Sutton, Hanson, Meeks.
Counties—Sutton, Henrie, Robinson, Miller, Barnett, Hone, Glies.
Education and Art—Pederson, Kuchler, Hanson, Miller, Westphal, Dorius, Mills, Richards, Parry,
Election—Nephi Jensen, Thompson, Maughan, Fuller, Bower.
Enrollment and Engrossment—Dean, Long, Barnett, Marks, Cottam,
Federal Relations and Memorials to Congress—Richards, Eldredge, Hone, Thompson, Hott.
Fish and Game—Croft, Critchlow, Westphal, Martin Jensen, Hott.
Highways and Bridges—Benson, Fuller, Dorius, Davis, Martin Jensen, Hondricks, Henrie, Weston, Larsen, Industrial School—Fuller, Pederson, Dorius, Bensen, Tolton, Irrigation and Reservoirs—Thompson, Devring, Barnett, Dean, Henrie, Bow-

Pering, Barnett, Dean, Henrie, Bow-ers, Marks, Martin Jensen, Taft, Judiciary—Clegg, Robinson, Kuchler, Pederson, Westphal, Deyring, Tolton.

******* JURISDICTION OF A DOUBLE TRAGEDY. Mrs. Earll Shot by Negro Who \$ JUVENILE COURT Suicides at Scofield.

affer and learning

-Mrs. Zilphia Earll, wife of the late Hawley II Earli, town president of Scuffeld, was shot and instantly killed last night at Supreme Bench Decides Judge Brown Cannot Exercise Auth-Scoffeld, by William Brown, a ority Over Adults. negro barber, who shot and killed .

PARENT HAS THE FIRST RIGHT.

Absolute Control of Children is Vested In Father and Mother Until They Are Disqualified.

The opinions of the suprime court in he two juvenile court tost cases handed down yesterday afternoon as menloned in last evening's "News" were ritten by Justice Frick and concurred in by Chlef Justice McCarty and Justice Straup. The cases involved are those of Emil Mill in behalf of his son, Albert E. Mill, against Willis Brown, judge of the juvenile ourt, and Emma Sahlberg, an adult, against Judge Brown. In both cases writs of habeas corpus were asked and granted by the supreme court and both the boy and the woman were ordered discharged.

The opinion of the court holds that the adult section of the juvenile court law is unconstitutional and that the juvenile court has no jurisdiction to try adults charged with a misdemeanor or any offense. This is the most vital part of the whole law as it is conceded to be almost impossible to handle the children successfully unless the court can get at the parents and other adults who are in many cases responsible for the delinquencies of the child.

QUESTION OF APPOINTMENT.

The question as to the legality of the appointment of a judge of the court by a commission is touched upon as being one of the most serious constitutional objections to the law but as it effects the judge of the court and not the law itself, the supreme court refuses to pass upon it in these cases in which the law itself is the issue and not the judge. The matter of his appointment and his eligibility to hold office, the opinion states, should be tested in a separate and direct action pointment and his eligibility to hold office, the opinion states, should be tested in a separate and direct action brought for that purpose alone. It suggests, however, that the legality of the appointment of the judge by a commission is very doubtful. On that particular matter the opinion has the following:

"There are some constitutional objections to certain portions of the act that are more serious, however, namely: The objection that respondent's appointment is delegated to a special commission created by the act, and that his salary is to be fixed by such commission, to be paid out of the city treasury, may well be said to reach, it they do not go beyond, the limit of the legislature to invade local self-government, as the same is implied by the spirit, if not the letter, of our Constitution. These are matters upon which we entertain serious doubts. But, as these matters go again to the right of the respondent to discharge the duties of the office as an officer de jure merely, we cannot, in this proceeding, pass upon or decide them. "There are some constitutional object

cannot, in this proceeding, pass upon or

extend you a cordial invitation to hold decide them.

Moreover, as at present advised, we assume, but do not decide, that even if the portions of the act above referred your forty-fourth annual convention to were held to be bad, that they are respectfully invited to the central loto were held to be bad, that they are not so connected with the other portions of the act as to vitiate the whole law. The act would still create a dejure office which could be filled by a defacto officer, and all the other portions dealing with and affecting juvenile delignments would still the state of the country would be still the state of the state cation of this city with reference to the woolgrowing industry of the Transmississippi country and its consequent accessionity to the present and future linquents would still stand and be made effective in accordance with the true spirit and intent of the act taken as Further, we beg you to remember the vast importance of your work to the

a whole. This does not apply to sec-tion 7, to which we will refer hereafter. The court goes on to hold that the other constitutional and local objections raised by the petitioner. Mill, are untenable, and cites numerous authori-ties in support thereof. These objec-tions include the right of trial by jury. the want of arraignmen and plea, the suspending of judgment or sentence, the manner of examination or trial, the making of a child a witness against himself, the want of notice to the parent, the dispensing with the warrant and arresting the child and bringing him before the court. The courter him before the court. The o points out that an examination juvenile court is not a prial, and points out that an examination in a juvenile court is not a trial, and that the only object sought is the good of the child.

TRIAL OF ADULTS.

The court holds, however, that section 7, relating to the trial of adults in the court, is unconstitutional. The opinion on this point says:

"The foregoing does not apply t tion 7 of said chapter. By the p sions of said section the juvenile deals directly with adult persons. While the provisions of section 7 are entirely germane to the principal object of the main act, the acts denounced in secion 7 are made a misdemeanor, and tre thus a crime within the purview outh of the constitution and the crim-nal code of this state. As we have thready pointed out, the proceedings of the juvenile court do not fall, nor are they intended to come within what is rmed criminal procedure, nor are the its therein mentioned, as applied in didren, crimes. "To constitute the act under section."

of an adult a crime, engifies such adult to the right of a trial as for any other crime. This right is dealed by said section 7, and it cannot, therefore, be upheld. Quite true, some method is necessary to punish adults when interfering with children who may be held to be wards of the state, and no doubt it is proper for the legislature. terfering with children who may be held to be wards of the state, and no doubt it is proper for the legislature to provide for their punishment. When such is done, however, trial must be provided for in the proper forms and in legal manner. Section 7 of the act, for the reason that it violates this elementary provision, so to speak, of criminal law and procedure, must, therefore, be held of no force or effect. This, however, in no way affects the other provisions or sections of the act."

As fo the reasons for discharging the Mill boy from the custody of the court, the opinion states that it must first be affirmatively shown that the parent of the child has forfelted his nautral and legal right to the custody of the child by reason of his failure, inability, neglect or incompetency to discharge the duty and thus enjoy the right. In this case such was not affirmatively shown, hence the state could not be subscititud as guardian

frmatively shown, hence the state could not be subscrituted as guardiar of the child and assume its custody to he exclusion of the parent berg woman is discharged for the reason that the adult section of the lay is unconstitutional, as stated above.

METHODS CONDEMNED. As to the method of procedure used

scathing arraignment of the judge be cause of the tactics employed by him From an inspection of the record in

"From an inspection of the record in this case, meager as it is, we are forced to the conclusion that the difficulties complained of are far more due to the respondent (Judge Brown) than to the law. To administer juvenile laws in accordance with their true spirit and intent, requires a man of broad mind, of almost infinite patience, and one who is the possessor of great faith in humanity and thoroughly imbued with that spirit. Those who come, and are intended to be brought before, juventle courts, must be reached through love, not fear. The purpose in bringing them before the court is to lead them away from, and to destroy their propensities to vice; to elevate, not degrade; to reform, not to punish them. Their parents likewise must be met and dealt with in the same spirit. They should be directed in a proper spirit, and not, as this record discloses, be met with definance. The conditions surrounding them may be due as much to lack of information and misfortune as to viciousmess. The judge of any court, and especially a judge of a juvenile court, should, therefore, be willing at all times, not only to respect, but to malutaral rights of men and children alike.

BROWN WISER THAN LAW.

BROWN WISER THAN LAW.

"Respondent, as this record discloses, either has no regard for, or is uninformed in respect to, the rules that the experience of past generations has evolved for the purpose of safeguarding the rights of all, Like most laymen, but seemingly without their good judgment, respondent seems to regard these rules as mere technicalities, to be brushed aside as obstructions in the pathway of what is usually termed common sense justice. He seems to be a willing convert to the theory that he is better, if not wiser, than both law and rules of procedure, and that he may thus disregard either or both at pleasure. "While juvenile courts cannot, and are not expected to be conducted as criminal or other courts usually are, the judge should not wholly disregard all wholesome rules in an attempt to establish culti which he susception

all wholesome rules in an attempt to establish gulit which he suspects, or, worse yet, merely imagines. Most of the rules of evidence and procedure were established, and their observance were established, and their observance is necessary, to curb the propensities of the inquisitor, and it would no doubt better subserve the best interests of all if the most important of these rules were observed by respondent in his investigations. The fact that the American system of government is controlled and directed by laws, not men, cannot be too often nor too strongly impressed upon those who administer any branch or part of the government. Where 2 proper spirit and good judgment are followed as a guide, oppression can and will be avoided.

"It further appears from the record

will be avoided.

"It further appears from the record before us that either respondent, or some one for him, has devised a printed record to which all cases are made to conform. Printed formulas are well enough as guides, but to have a printed record only is too much of a temptation to make every case fit the record instead of making a record to fit the case. As we have already stated, the cases coming before the juvenile court are not criminal, and hence a criminal record does not fit these cases. ord does not fit these cases

CANNOT SET ASIDE LAW.

"Because a good and wholesome law has, in some instances, been abused, we are most earnestly implored to set aside the law. This we cannot do. The court may be reformed and the law amended if, in the judgment of the legislature, this is notestance. All good laws may be, and, at times no doubt are, abused, but this is no reason why they should either be held bad or repealed. While it is neither the duty nor the province of this court to suggest what the laws should be, or who should administer them, we cannot silently pass by what seems to us a total disregard of wholeseems to us a total disregard of whole-some rules. The juvenile court law is of such vast importance to the state and society that, it seems to us, it should be administered by those who made effective and individual right respected. Care must be exercised in both the selection of a judge and in the administration of the law. When this is done, we have no doubt that most of the things complained of and as

The juvenile law of this state is of too much importance to be hampered by or set aside for trivial or avoidable causes. All good citizens are interested n its proper administration in its proper administration and en-forcement, and it is well worth the best efforts and patient care of those who, for the time being, are clothed with the power of administering such laws. If all governments are interested in the moral and educational welfare of those who, in time, will be called upon to discharge the duties of citizenship, how is the sovereign from whom ema-

zen is the sovereign from whom emamates all the powers of government.

"For the foregoing reasons, therefore
the judgment of the juvenile court,
committing Albert E. Mill to the industrial school, is set aside and annulled,
and he is returned to the custody of
Emil Mill, his father, until said Albert
shall be legally adjudicated to be a
word of the state in accordance with
the views herein expressed; neither
party to recover costs. If is so orrt: to recover costs. It is so or-

ed.

he arguments in both cases in bef of the petitioners were presented
Atty. N. W. Sonnedecker, while
ge Brown was represented by Attys.
her X. Smith and James IngebretJudge Ogden Hiles and Senator
Bawlins were appointed as friends
account in the consideration of the

KILLED BY A SNOWBALL.

Nephew of Capt. J. B. Burbidge Suc cumbs to Effects of Blow.

Clifford Burbidge, the 8-year-old son of Mr. and Mrs. J. W. Burbidge, and nephew of Captain of Police J. B. Bur bidge, died yesterday afternoon, unde very distressing circumstances. week ago, while returning from school Clifford was knocked down by a snow-ball shrown by another boy. He was ball thrown by another boy. He was rendered unconscious, but recovered soon after being carried into a neighbor's house. He seemed to be all right until a few days after the occurrence, when he was taken violently ill and the doctors pronounced the disease to be brain fever, and death ensued, after much suffering.

The boy's mother is in California, whither she went with a daughter whose health is in a precarious condition. Captain Burbidge telegraphed her yesterday that the boy was very ill and requested her to come. She at once started for home, and will arrive here tonight, until which time she will know nothing of her child's death.

A. B. ELDRIDGE COMMITS SUICIDE

Chicago, Jan. 18.—Archibald B. Eldridge, 30 years of age, killed himself last night with a revolver. The shooting is believed by the police to have been accidental.

Mr. Eldridge was assistant chief engineer of the Burlington road, and was regarded highly by President Harris of the Burlington and President Elliott of the Northern Pacific, with whom he had been associated for eight years.

Northern Pacific, with w been associated for eight Eldridge was born at A by Judge Brown in conducting cases before him, the opinion of the supreme court has nothing but condemnation.

The opinion contains the following and two children.

JAMAIGA GOAST LINE CHANGING

FIFTY-SIXTH YEAR

Under Water and no Bay Reported Left.

Entire South Side of Kingstor

CHANGED BY TIDAL WAVE

City Itself is in Ruins But the Shipping is Said to be Safe.

Earthquake Was Most Serious in Island in Two Hundred and Fifty Years.

Havana, Jan. 18.—Rear Admira Evans, in a message to the cruiser Columbia here, states that a huge tida wave has changed the coast line of Jamaica, leaving the cutire south side of Kingston under water. No hay is reported left and the whole coast line is reported sinking.

CALAMITY IS GREAT.

New York, Jan. 18.-The latest official news of the Kingston disaster reached this city today from Guantanamo, Cuba, through Admiral Evans, who had received from Admiral Davis, sent to Kingston on the torpedoboat Whipple, a brief wireless report of the situation n the stricken city.

Admiral Davis reported that Kingston was almost entirely destroyed; that 400 persons were killed and that 500 were in the hospital. The dispatch was sent Thursday morning and further re-ported that Kingston was quiet. The Whipple started to return to Guanta-namo with a full report of the situation yesterday and should have reached the American naval base during the night. yesterday and should have reached the American naval base during the night. Direct advice of the Associated Press from Kingston under date of Jan. 18 received early today, stated that the disaster was as great as the calamities of San Francisco and Valparaiso. Thou, snds of persons, it was then believed, had been killed, as the dead were being recovered from the ruins in hundreds. A number of Americans were among the killed. The city is in ruins but the shipping in the harbor is safe and aboard these vessels the wounded are being cared for.

The dispatch also stated that the topography of the country has been changed as a result of the earth disturbance, and that the channel into Kingston harbor has been materially altered. The hody of Sir James Ferguson, who was killed, was found and buried on the day the dispatch was sent.

SHOCK AFFER SHOCK. London, Jan 18.-A special dis-patch from Kingston dated Jan. 17.

says;
The recent earthquake was more serious than any which has occurred in Jamaica for 250 years. The first shock was followed by 15 minor shocks. The wooden structures stood well but the brick houses collapsed within a radius of six miles. The immunity of 250 years led the Jamaicans to forget that they were within the earthquake zone and they had been building brick houses. But for this probably there would have been no loss of life.

no loss of life.

There has been no tidal wave. The There has been no tidal wave. The defences at Port Royal were destroyed and the Pallsades broken through. Black mud is coming to the surface. The conduct of all classes is admirable, but it is based that the British cruisbut it is hoped that the British co er Indefatigable will soon arrive here

INFANT MORTALITY.

Very Largely Due to Use of Impure Milk.

New York, Jan. 18.—In discussing the pure milk problem yesterday before the Woman's Municipal league, William Mills spoke of the great mortality among children. He said:

among children. He said:

"While you are sitting here many mothers in this city are watching anxlously over babies who will die before tomorrow's dawn, for the infantile death rate in this city is 72 a day, or over 26,000 a year.

"Over one-third of the 76,200 deaths in this city in 1906 were of children under five years of age.

"To every 1,000 children born in this city in the past year there were 233 deaths of infants."

Several speakers discussed the patty.

deaths of infants."

Several speakers discussed the milk situation, and it was unanimously agreed that the pasteurizing method used on the milk dispensed by Nathau Strauss in his philanthropic career is the one solution of the problem.

TO OPERATE COAL MINES AS PUBLIC OWNERSHIP

Chicago, Jan. 18.-A dispatch to the Record-Herald from Regina, Sas-

the Record-Herald from Regins, Sas-katcheman, says:

Hon. W. R. Motherwell, provincial minister of agriculture, said last night that the local government had decided to purchase coal areas from the Dominion government and operate mines on the public ownership principle. As each day passes the minister said, the government has the necessity of this action forced upon it more clearly. Each day, he said, he is called upon to pray to the transportation companies to rush through enough coal or wood to last for another day. With the further settlement of the country he fears the fuel question will become a most serious one for this portion of the Canadian northwest.

TO TEMPER PRECIOUS METALS.

Montgomery, Ala, Jan. 17.—Alfred P. Weaver of this city has today, in collaboration with John Edward Cearney, and while engaged in laboratory experiments in search of a new soherent material for wireless telegraphy discovered the art of hardening and tempering the precious and semi-precious metals, such as platina, gold and the like without alloying them with other metals.

SOLD COUNTERPEIT TICKETS.

El Paso Texas, Jan. 18,—It is stated that a brakeman. Carlos Rodriguez of the Mexican Central has been arrested in Mexico City charged with defrauding the railway out of a large sum by printing and selling counterfeit tickets. Rodriguez is in prison and it is alleged by Mexican Central officials that a number of aprests of other employes will soon be made as Rodriguez has implicated several as his confederates in the sale of the tickets.