10 PAGES-LAST EDITION

THURSDAY MARCH 7 1907 SALT LAKE CITY UTAH

WHO WAS IT THAT

FIFTY-SIXTH YEAR

The French say that "Nothing is a footless stocking without a leg;" and that is about the only thing you cannot buy or sell through advertising.

# TRYING TO SAVE CHIEF FROM PEN

Defense Wobbles and Weakens In Effort to Rescue Head of Police Department.

SHOWING NOT WHAT PROMISED

Second Hand Men Display Anxiety to Testify for Accused But Are Not Very Certain.

Absolute Failure to Prove There Was No Showcase in Store-A Technical Evasion.

The defense for George Sheets is today presenting its views and this morning had a number of witnesses upon the stand to aid in its attempt to remove every doubt and cloud from the chief's name. This end was far from attained. Two attaches of the second hand store on State street appeared exceedingly auxious to take an oath that Chief Sheets was not in their place on Sept. 20, but under cross-examination were not so positive as they were expected to be. Gough, the clerk; stated positively be. Gough, the clerk; stated positively at first that Sheets was not in the piaco but a moment later confessed that he was "in and out" of the store on that date. This admission decidedly weakened the first assertion. Some time was spent by both defense and prosecution in an attempt to establish and discredit the statement made by Parrent that Sheets and Bell stood near a glass show case in the fright room of the store. The second hand store keepers threw out the impression at first that there was no case, counter of anything in the room which might be taken for a show case. Lengthy hestioning finally brought out the facts that two ranges were piled with goods and when one of the stoves was gold, a table had been substituted to display goods, and this to all intents and purposes was a "show case."

The state is not worrying over the alibi effort as upon this point, and in the arguments to follow testimony taking it will endeavor to show that a conspiracy was formed, although one of the principals was not in the city. County Atty. Hanson was on the alert this morning and succeeded in blocking a number of leading questions, which called for presumptions and supposition upon the part of the witnesses Soren X. Christensen had the examination of witnesses for the defense under his charge. The courtroom was again crowded. Many persons who attended at first that Sheets was not in the place

soren A. Christensen had the examination of witnesses for the defense under
his charge. The courtroom was again
crowded. Many persons who attended
the first session are seen at every meeting. Chief Sheets and George Raleigh
attend each session, but none of the
other defendants is ever present.

The Sheets hearing was resumed at
five minutes after 10 o'clock. The defense is presenting its testimony.
Thomas Halliday, of the Halliday drug
company, John Cruikshank, acting
auditor of the Oregon Short Line.
George Goalen, a second hand store
keeper, Benjamin L. Gough his employe, are among the witnesses.

Mr. Halliday was the first witness
called. Questioning was commenced by
Judge Thurman. Mr. Halliday said he
has been manager of the tirm bearing
his name for the past 16 months. In
answer to questions he described the

his name for the past 16 months. In answer to questions he described the arrangement of his store, particularly the location of the 'phone counter in the rear of the store. This is separated from the front portion by a partition, with means of entrance from the front. "We have two private 'phones and two public phones," explained the witness. "There never was a 'phone in the front of the store. The public 'phones are on the west side of the rear; the private 'phones are on the east side in the rear." This assertion was repeated several times to discredit Parrent's 'phone story in which he sald Bell telephoned to Chief Sheets through an instrument standing on a front Bell telephoned to Chief Sheets through an instrument standing on a front counter or case in Halliday's drug store counter. Atty. Hanson cross-ex-amined the witness. The fact was brought out that the 'phones were at-tached to long cords to permit them standing on a prescription counter. Judge Thurman recalled the witness to salt the length of these cords. "Flye ask the length of these cords. "Flye feet," answered the witness. Between questioning of the county attorney and Judge Thurman it was learned that sometimes use the private strangers sometimes use the private 'phones. The witness did not think the cords were long enough to permit the 'phones being brought out through the partition separating the front and rear portions of the store.

SECOND HAND MAN.

George Goalen, keeper of the secondhand store at 169 State street was the
next witness. Mr. Goalen said his place
is five doors above Second South street.
He said there is a boot black stand opposite and a little to the south of his
place. The witness said so far as he
knew he was in his place September 20.
When asked if he has some method
whereby he could refresh his memory,
he said he could look in his day book
to se if he had made any entries on that
date. The witness said Louis Brock
works for him and either one or both
are always about the place. Mr. Goalen
said he knew Chief Sheets, but has
not seen him in the store since the lat not seen him in the store since the lat ter became chief of police.
"If he and another man had come into your store would you have seen than?"

I certainly would." What is your custom when persons come into your place?"
Mr. Hanson objected to this question eaying it was not material. Judge Thurman said in an attempt to impeach testimony the question was proper. Judge Whitaker sustained the objection. "What is the size of the front room in your place."

our place." About 30 or 35 feet deep and about set wide."

"Was there a show case in that room on September 20?"

Was there ever a show case there?" Not within two years."

SHIFTED HIS BASE.

Under cross-examination the witness repeated that during no time while he was about the place had Chief Sheets 'Did you talk to Deputy Sheriff Jos-eph Sharp a few days ago?"

"Did you not tell him you did not "Did you not tell him you did not remember whether or hot you saw chief Sheets in your store September

"Yes."
'Why then do you say now you did not see him."
"Mr. Sharp asked me off hand

"But you have said your memory was as good then as it is now."
"I have tried sluce to remember whether or not I did see Mr. Sheets about my place."

The witness denied that Deputy

# FRITZGERALD MAY FOR COLLEGES TELL A STORY

If Chicago Sub-Treasury Does Not Take Back Assorting Teller, He Threatens to Peach.

All Depends on Instructions From Washington-Chief Wilkie Believed To be Awaiting Developments.

Chicago, March 7 .- At least one phase of the robbery of \$173,000 from the sub-treasury is scheduled to reach a crisis today after the conclusion of the trial of Assorting Teller George W. Fitzgerald before Judge Newcomer on the charge of assault on Harry Friend, a newspaper reporter. Mr. Fitzgerald expects the trial to be completed by this afternoon, and he said he would go then to the sub-treasury and report for duty.

port for duty.

If Sub-Treasurer Boldenweck refuses to put him back at work counting money. Mr. Fitzgerald said he would tell a story that will make interesting reading. Inasmuch as Mr. Boldenweck has announced that the termination of Mr. Fitzgerald's "leave of absence" depends upon instructions from Washington, the teller's immediate registrations of the second description.

are reinstatement is regarded as improbable.

Chief Wilkie of the secret service is believed to be remaining in Chicago to see what Mr. Fitzgerald will say in case he talks.

Sheriff Sharp had questioned him several days ago. Atty. Christensen objected to the question. "Is there a kind of a case in that room?" asked kind of a case in that room?" asked the county attorney during cross-examination. This objection was sustained but a few seconds later the question was asked in a different form. Mr. Goalen said two ranges had piled goods upon them, but there was no case. He admitted soon after that a table held various articles. "One table stood upon another," said the witness in answer to a question from Atty. Christensen.

Atty. Christensen.

"Does the little table resemble a show case?" The witness said "No" while Mr. Hanson was objecting to the question asserting that it was leading and called for a presumption upon the part of the witness. The objection was sustained and the answer was stricken from the records.

Mr. Christensen then asked the witness if he could see two men standing

stricken from the records.

Mr. Christensen then asked the witness if he could see two men standing in the room, when he was 18 feet from them. The county attorney objected to the question as it called for a conclusion. Mr. Christensen explained that if a witness is asked how far one thing is from another it calls for a conclusion. "We are trying to prove that Sheets and Bell were never there." he said.

"Did you, on Sept. 29, stand there, doing something with pots and kettles see George Sheets and Bell come in and did you see Beil hand George Sheets \$350?"

The county attorney objected to the question, as it was leading, and was sustained. The witness said Mr. Sharp came to see him Saturday.

"He came with another man."

Parrent will be called at 2 o'clock to have Goalen identify him as the man Deputy Sheriff Sharp had with him.

CASE OF BAD VISION.

CASE OF BAD VISION.

Benjamin L. Gough was the next witness called. He said he lives in the second-hand store at 169 State street, and has been there day and night for the past ten years. Gough qualified this statement by saying he goes out delivering goods occasionally. After the witness said he was in the store Sept. 20. Mr. Christensen asked him if he had seen Chief Sheets, alone or with anyone, in the store on

"Certainly not\_\_it's my business to meet people half way and investigate their wants," answered Gough readi-"Did you see Sheets and another par-ty standing there? Did you see Bell hand Sheets \$350?"

'I did not? The witness did not know Deputy Sheriff Sharp, but upon having the officer pointed out, said he thought he saw him with another man some during last week. Gough would not place the date of this visit and said he did not think he could identify the

other man. WAS "IN AND OUT." Mr. Hanson took the cross-examina-tion. He forced the witness to admit he was in and out of the store on Sept. 20, and has no means of refresh-ing his memory.

ing his memory.

"Is your memory regarding Chief Sheets' visit or non-visit as good today as it was several days ago?"

"It is—on that point."

"On last Monday, did not Mr. Sharp ask you if you saw Chief Sheets and another person in your place Sept. 20, and did you not reply, 'I do not remember?"

"That was my answer."

DAMAGING ADMISSION.

"As to the date, I don't know," con-tinued the witness. "You say it was Monday."
"Was Mr. Sharp in recently?"

"You told Mr. Sharp that you didn't emember whether or not Chief Sheets was in-didn't you?" "Why, then, do you say now you re-member he wasn't?"

'I am now under oath—I wasn't when saw Mr. Sharp." 'Does an oath make a difference in 'No; I didn't remember then and I'

don't now."
"That's what I wanted," said Mr.
Hanson, who then brought out additional details regarding the location of tional details regarding the location of the ranges and tables. This point is considered important, as Parrent said Chief Sheets and Bell stood by a glass show case, about 18 feet from the front door, during the "famous" transfer of

When taken in charge by Mr. Hanson again the witness croated some laughter by repeating that he notes customers. It would have remembered Chief Sheets—I have a reason," said the witness. Mr. Christensen wanted to learn this reason, but Mr. Hanson objected to the question. "It is not material," said the county attorney, Mr. Christensen said it was material to learn why the witness could remember Sheets if he had been in the store. Judge Thurman told the witness he might volunteer his reason.

"I had a chum and playmate once." began Gough, as wide smiles began to appear upon all faces in the room, "His name was George Sheets. When I came to Salt Lake I heard there was a George Sheets here. This impressed me, and on this account, every time I saw George Sheets I remembered my chum

(Continued on page two.)

# OF COURTSHIP

Chicago University Professor Advocates Them to Fit Lovelorn Population for Matrimony.

REINSTATEMENT NOT LIKELY. TO REFORM LOVE-MAKING.

Fashionable Society Exhibits Depraved Standards-Some Evils Are Flirting, Boasting and Extravagance,

Chicago, March 7 .-- Colleges of ourtship for the reform of American love making are needed to fit the lovelorn population of the nation for matrimony, according to Prof. Chas. R. Henderson, the University of Chicago sociologist.

In an article on "Courtship" in the Curren Biblical World, issued from the university press yesterday, the professor arges expert instruction for those who are smitten with the "illu-

Hasty marriages, divorce and marriages of convenience are classed as results of the "barbarism" into which courtship and marriage have fallen. He shows as examples of the decline in love, "where the wife is bought from the parent like a cow, or where she is compelled to marry to secure a fortune from a rich fool."

Fashionable society exhibits depraved standards and alimony is accepted as a substitute for rational marriages, he declares.

Prof. Henderson points out as par-ticular evils of modern love making such perils as flirting, boasting of conquests, extravagance, accepting cost-ly presents, ignorance of the training of children and courtship without in-tent to marry.

### RUSSIAN PARLIAMENT.

Expected it Will Make a Better Recor Than Its Predecessor.

St. Petersburg, March 7.—The cordial manner in which President Golovin of the lower house was received by Emperor Nicholas yesterday, the self-restraint shown by all parties and, above all, the decision of the Conservatives to support the petition for the granting of amnesty to all political prisoners, except bomb throwers, confirms the impression that the new parliament will make a far better record than its predecessor.

parliament will make a far better record than its predecessor.

According to club gossip, however, a good understanding between the crown and the lower house is threatened by several indiscretions on the part of M. Golovin, who is quoted as criticising the political intelligence displayed by the emperor, and the empress' ignorance of Russian parties as shown by her question whether he (Golovin) was a member of the Right party, remarks which are sure to reach the emperor in exaggerated form.

### AMERICAN RIGHTS.

Measures to be Taken to Enforce Them in Turkey.

Constantinople, March 7.—It is inti-mated that the United States will shorty take more active measures to enforce its demand for official recognition of the American schools and missionary establishments in Turkey, should the removal of the existing difficulty be much longer delayed. The ministerial committee appointed to deal with the question has been sitting at the palce, and has reaffirmed the settlement ar-ranged three years ago with the Ameriranged three years ago with the America embassy, and a new decree approving the agreement has been submitted to the sultan. It is hoped that his majesty's signature will remove the obstacles placed in the way of the proper execution of the arrangements. All the details necessary for the fulfillment of the agreement were decided upon by the American embassy and the responsible departments of the port at the time the settlement was reached, and consequently Ambassador Leishmann consequently Ambassador Leishmann has resolutely refused to consider all suggestions to reopen the discussion on the subject.

### CASHIER WALKER.

Detectives Claim to Have Located Him . In Sacramento.

Sacramento, Cal., March 7.—Pinkerton detectives state today that they have located absconder W. F. Walker of New Britain, Conn., in this city, where he has been in hiding since Feb. 21. They expect to take him into custody within a few days. He is wanted for the embezzlement of \$555,000 from the Savings Bank of New Britain.

### A DARING HOLD-UP.

While Moscow University Officials Be-

ing Paid, Armed Men Rob Them. Moscow, March 7.—A daring holdup oc-curred at the university here today. While the officials were being paid off in the chancellers seven armed men arrived, threatened all present with pistols and de-manded the money. The intruders then fired into the air, seized \$20,000 and de-camped, killing a sergeant of police whom they met at the door.

The university is now surrounded by po-lice and all the houses in the vicinity are being searched.

BOMB WRECKS PREMISES.

Warsaw, March 7.—A bomb was thrown at noon today into a flat occupied by Prince Argutynski director of the government high school. The premises were wrecked but the prince was not injured. The bomb thrower escaped.

#### LAST OF MORMON LOG HOUSES IN LIVINGSTON CO., MISSOURI BURNED.

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Chillicothe, Mo., March 7 .- The last of the bistoric log houses built by the Mormons when they settled in Livingston and Caldwell counties in 1835, was destroyed by fire yesterday near

# ASK FOR QUICKER THE STROTHERS BOUGHT READING?

Failure to Solve the Mystery Cause of Unsettling the Market Yesterday.

J. J. HILL PLEADS IGNORANCE.

"Don't Ask Me Anything About Reading," is All the Reply Harriman Vouchsafes.

Bear Party Has Recovered From Its Demoralization-Prices Attacked But Soon Made a Rally.

New York, March 7 .- There was opening movement of prices indicated from the demoralization caused yeserday by the report that control of Reading had passed to Harriman. A vigorous onslaught of prices was lapsed 3 points from last night; closng prices. There were a number of other declines of 1 to 11/2 among the most active stocks. An immediate rally followed and the nervous and unsettled state of the market was shown in the frequent fluctuations and great activity of the rading.

and great activity of the rading.

The failure to clear up the mystery surrounding reading was the ansettling influence. The identity of the buyers and their moves remained in doubt. The sundry opinions on the subject were of an accumulation for new control, a new speculative movement by powerful interests on the long side of the stock, or a mere manipulative movement in the market to drive in shorts and make an advantageous market for disposing of further holdings.

On the stock exchange the trading was watched with great interest. Operations in the stock during the first hour aggregated about \$0.000 shares.

Mr. Harriman's associates said they had no knowledge of any Reading deal.

Mr. J. J. Hill said "I don't know anything about Reading and don't want to know anything about it."

Mr. Harriman arrived at his office shortly before noon.

"Don't ask me anything about Reading." he said, "don't place me in a

Mr. Harriman arrived at his office shortly before noon.

"Don't ask me anything about Reading," he said, "don't place me in a position where I have to talk about that. I don't want to say anything about it."

Mr. Harriman said he was well satisfied with his visit to Washington. He thought the administration had arrived at the conclusion that more attention and consideration should be shown to rallway matters.

Regarding his views upon the general situation, he said:

"We all make mistakes; we sometimes have to back track, I'v had to do it."

Mr. Harriman went on to talk about the enormous sums of money put into railroad improvements, saying that his own roads had spent something like \$270,000,000 and that the country as a whole had been immensely benefited. It was intimated by Mr. Harriman that he expected to visit Washington again shortly by appointment with President Roosevelt.

Mr. Frick was asked about the alleged deal in Reading.
"I know nothing about Reading except that it is a pretty good road," he

Narrow fluctuations and dull trading had thrown the midday stock market into a condition of monotony, which was broken by violent falls in Southern Railway stocks and in Erie. There was a drop of 6% in Southern Railway preferred, 4 in the common. United States Steel slee responded with a decline of Steel also responded with a decline of

a point.

The weakness of the stock market became more general in the final hour than at any time during the day. Union Pacific reacted 3 points to the low level of the mornibus.

#### DOWAGER EMPRESS OF RUSSIA ON VISIT.

London, March 7.—The dowager empress of Russia arrived here this morning and was greeted at the railroad station by her sister. Queen Alexandra, the Prince and Princess of Wales, and the staff of the Russian embassy. The empress reached London half an hour earlier than the time publicly announced. The expediting of the empress arrival was, it is understood planned by the police who have taken stringent precautions for her protection. While the officials of Scotland ward have little fear that the snarchists in London will jeopardize their chances of obtaining an asylum in England by any attennoupon the life of the empress, they are taking no chances and every possible avenue of sitack will be guarded. From the railroad station the dowager empress and the queen drove to Buckingham Palace.

#### PROPOSITION TO INCREASE VON STERNBERG'S SALARY,

Rerin. March 7.—When the proposition to increase the salary of Baron Speck von Sternberg, the German ambassador at Washington by \$5,000, came top before the appripriations committee of the releistant today, during the discussion of the foreign office budget, Baron von Koerner, director in the trade division of the foreign office, said an agreement in opinion had been reached with the representatives of the United States on the basis for a future commercial treaty from which it was beped that a susfactory outcome of the situation would be reached. The American tariff commissioners, Dr. Von Koerner, addie, had not full power to conclude a freaty, but the results of the negotiations were favorable to German interests. Many misunderstandings had been adjusted, the American commissioners had been convinced of many inconveniences and unfair things in the treatment of German exporters, had so reported to President Rosseveit and the results of their report will be made public soon.

Turning to the salary of the ambassador to the United States, Dr. Von Koerner said that the cost of living in Washington had increased since the salary of the German representative was fixed at \$2.560 when the German legation in 1893 was raised to the rank of an embassay.

The committee eventually decided to increase the ambassador's salary to \$6.00, and also voted to increase the salary of the first secretary by \$25, raising it to \$4.50, the same as in the case of the similar posts at aPris. St. Petersburg and Vienna

## RUEF STILL MISSING.

Mooresville, close to the scene of the Hanns mill massacre. The building formed part of a private residence.

San Francisco, March L.—At 18 o'clock this morning the whereabouts of Abrahais Ruef remained a mystery. Coroner Walsh, who has succeeded Sheriff O'Neil in an attempt to serve a bench warrant on the indicted attorney, will report his success or failure to Judge Dunne at 8 o'clock this afternoon.

# SHEEP SHIPMENT

Large Gathering of Prominent Railroad Officials in Cheyenne, Wyo., Today.

Car Shortage and Better Service Are Being Discussed-Joint Committee Meets Commerce Commission.

(Special to the "News.")

Cheyenne, Wyo., March 7 .- The largficials ever held in Wyoming is now assembled here in conference with a committee from the National Woolgrowers association, the car shortage and service and other problems are being discontinued excitement and disorder in cussed by the railroad and sheep men the early stock market today. The The conference will continue throughout the day, and probably an evening

out the day, and probably an evening session will be held. The sheepmen will propose that the railroads give faster time with shipments of sheep, the shippers to pay an excess charge, according to the speed furnished.

A joint committee will be appointed today and will probably be composed of five railroad and five sheepmen, to meet with the interstate commerce commission at an early date. It is expected that as a result of this meeting here today, important legislation will be recommended to the Congress of the Unified States.

ommended to the Congress of the United States.

Among the leading railroad men present are General Manager Walyers of
the Chicago & Northwestern, General
Manager A. L. Mohier of the Union Pacific, General Manager Holdroge of the
Burlington, and General Supt. E. Buckingham of the Oregon Short Line, J. H.
Manderfield of the San Pedro, Los Angeles & Sait Lake, C. E. Spens of the
Burlington, H. A. Jackson of the Great
Northern, J. O. Dalzell of the Northenn Pacific and representatives of the
Chicago, Rock Island & Pacific, Denver
& Rio Grande, Chicago, Milwaukee &
St. Paul, Colorado & Southern, and
Missouri Pacific railways.

A delegation of stockmen represented
all the western states and territories,
The Cheyenne Industrial club will give
a smoker at the club tonight. It will
include a vaudeville turn.

#### BALLINGTON BOOTH.

All He Knows of His Father's Coming He Learned From Newspapers.

New York, March 7.—Gen. Ballington Booth, head of the Volunteers of America, was asked last night at his home at Montclair. N. J., whether the arrival here of his father. Gen. William Booth, signified an effort toward amalgamation of the volunteers and the Salvation Army, made a statement in reply in which he said all the knowledge he had of his father's coming here was what he had seen in the newspapers. His last long letter to Gen. Booth, he continued, was one of sympathy at the time of the death of his (Gen. William Booth's) daughter. Emma, and this letter was answered by a secretary in the briefest and most distant manner.

retary in the briefest and most distant manner.

From this Gen. Bailington Booth and his wife, Maud Bailington Booth, had been left to infer that the attitude of the Booth family toward them was precisely what it was when, for conscientious reasons, he and Mrs. Booth quit the Saivation Army. At that time they were informed, he said, that unless they came back to the Saivation Army and submitted to the Booth family's dictates, they would be looked upon a strangers or renegades. Gen. Ballington Booth said that there was no likelyhood whatever of the volunteers amalgamating with the Saivation Army.

### DIAMONDS SEIZED.

Customs Authorities Say Miss Florence

Koehler Tried to Sauggle Them In.

New York, March 7.—Diamonds, pearls and emeraids valued at \$10,000 contained in the baggage of Miss Florence Koehler of Chicago, a passenger on the North-German Lloyd steamer Kaiser Wilhelm II, which reached her dock at Hoboken last night, have been seized by the customs authorities on the ground that Miss Koehler did not declare them. She has been instructed to appear before the collecter of customs this morning to explain. The treasury department learned through its secret service agents abroad, several days ago, that Miss Koehler was bringing the jewels into the United States and a special agent of the department was detailed to board the steamer on her arrival in the lower bay to watch the young woman. He alleged that she did not declare the precious stones among her dutiable goods. He reported to Deputy Surveyor Coneys and McKeen of this port, who after a talk with Miss Keehler, ordered her baggage searched. She is said to have taken the se'zure very caimly. Nothing could be learned about her save that she is from Chicago according to the passenger list. Koehler Tried to Smuggle Them In.

ZANGENBERG, ACTOR, ARRIVES. ZANGENBERG, ACTOR, ARRIVES.

New York, March L.-E. Zangenberg, Deumark's leading actor, arrived hera vesterday on the steamer United States from the Royal Theater, Copenhagen, to tour this country. He will be seen here inst at the Plasa Theater on the night of March II. Later he will go west.

A fellow passenger of Mr. Zangenberg, was Otto Fick, originator of the idea of apartments where housekeeping is done on the co-operative plan. He has built several large apartments used in Copenhagen, Stockhoim and Lendon, wherein the plan is said to have been conducted with success. He believe there is an opening here for such houses in the United States and will investigate.

#### \*\*\*\*\*\*\*\*\*\*\*\*\*\* GALVESTON BILLS OUT.

House Kills Measures for New Form of City Government.

By a rising vote of 21 to 17 the house this afternoon laid the Galveston bills, providing a new form of city government for Salt Lake, on the table, John Q. Critchlow, who has been workfor them, is very much wrought up over the occurrence and deviated after the vote was taken clared after the vote was tuken that the matter was "railroaded" brough by Speaker Joseph without giving any opportunity for debate. He declared that he would make a motion to take the bills from the table again either this afternoon or tomorrow, if he cannot do it today. Unless there is a change in attitude by some of those who favored tabling the measures today, this motion cannot prevail, and the bills will of those who favored tabling the measures today, this motion cannot prevail, and the bills will therefore go over to die at therefore go over to die at the end of the session,

# ARE ACQUITTED

After Deliberating for an Hour And a Half the Jury Returned A Verdict of Not Guilty.

PROBLEMS OF FLOCKMASTERS JUDGE THANKED MEMBERS.

Says It's a Precedent in Virginia--No Man Should be Found Guilty for Defending Sanctity of His Home.

Culpepper, Va., March 7 .- After beng out an hour and a haif, the jury n the case of James and Phillip Strother, on trial for the murder of William F. Bywaters, returned a verdict of not guilty at 11:10 a. m.

The announcement of the verdict was the signal for an outburst of approval which Judge Harrison quickly silenced James Strother reached for the hand of Mr. Myore, one of his counsel, and Phillip was quickly surrounded by friends. Mrs. James Strother, overome by emotion, fell into her hus-

band's arms.

Judge Harrison addressed the jury as follows:

"Gentlemen of the jury, I thank you for a verdict which I think will be approved by the public. It is an established precedent in the state of Virginia that no man tried for defending the sanctity of his home should be found guilty." found guilty After further words of approval from the bench, the jurymen left the courtroom.

#### SIGNOR GALLO DEAD.

He Was the Italian Minister of Jus-

Rome. March 7.—Signor Gallo, the minister of justice, died this morning of syncope. He was born in 1849 and formerly was minister of public instruction, president of the chamber of deputies, and minister of education.

Signor Massimini, the minister of finance, who was stricken with apoplexy yesterday, is said this morning to be in a dying condition.

The impression caused by the death of Signor Gallo and the condition of Signor Massimini is intensified by the fact that the former is the sixth minister of different Giolitti cabinets, who has passed away while in office. The opposition newspapers are even hinting at the possibility of a ministerial crisis, but in well-informed circles this is not considered likely.

## JAPANESE LABORERS.

Those on Hill Lines Leaving for California for Higher Wages.

Bellingham, Wash., March 7.—Tempted by the big demand and higher wages offered for this class of labor in California, the Japanese railway laborers who were placed on the Hill lines throughout Washington a few years are, are leaving for the south by hundreds.

This exodus has crippled the railways somewhat but the companies are now importing negroes from Missouri and Tennessee to take the place of the Japanese. Eight hundred colored workers have already arrived and have been placed on the Great Northern in northwest Washington, in all 2000 negroes will be brought to this state by the Hill companies. The men are paid \$2 per day while the Japanese received \$1.30, yet maintenance of way foremen declared that the negroes accomplish twice as much as the Japanese, and are the cheaper even at the advanced wages.

## MAYOR SCHMITZ

Appears in Judge Dunne's Court and

Pleads "Not Guilty." San Francisco, March 7.—Mayor Schmitz appeared before Judge Dunne this morning and pleaded not guilly to the charges of extortion preferred against him by the grand jury. By agreement of counsel next Monday was set for the trial. The court then adjourned until 2 o'clock to wait the report of the coroner who has seen directed to take Abraham Ruef nto custody if he can be found.

### STAR SPANGLED BANNER.

One That Inspired Key's Poem is in

New York.

New York March 7.—Mrs. George Livington Baker of New Brighton Staten Island, is authority for the statement that the State Spangled Banner, which fleve over Fort Michney during its bembardment in the war of 1812 and inspired Francis Scott Key to the composition of the national ode, is now in this city.

Mrs. Baker is the grantidaughter of Cal. George Armstead. The flag, she says, is the property of Eban Appleton, of this city, her brother, and has been deposited by him in the safe deposit vaults of a Broadway Trust company.

There has been a great fleat of inquiry regarding this flar recently, which was reported as probably lost.

Mrs. Baker says that it is her brothers intention to leave the flag on his death to either one of the national museums at Washington or the Massachusetts historial museum at Boston.

### KILLED ON A MOUNTAIN.

Naples, March 7.—Two young sport nen, Arturo Kurnot and a commade nan d D'Oyldo, while on an excursion

### FOUGHT FOR DOLLARS.

### INDIGNANT IRISHMEN.

Visit 'Frisco Theater and Start a Row Over Objectionable Stage Character, San Francisco, Cal., March L-Indig nant at the refusal of the management to withdraw an alleged offensive character from a musical farce, a crowd of Prightmen visited the Davis theater last hight and rewened the ricous secure enacted lest Monday right. The outburst in the theater consisted in throwing egas, fruits and other articles at the players, in the tramping of feet. In hissing and in beated calls for the players to leave the stage. Outside the theater 5,000 men and women, many of when had been excluded from the place, created another ulmone. The disturbunce ended in a fruedor-all fight within and without the theater, resulting in one arrest and the injury of

# NOW LOOKS LIKE CONSOLIDATION

One Board of Regents With A. C. As Department of the State University.

AND THE LOCATION AT LOGAN.

That is the Trend of the Battle in The Skirmishes Fought in The Senate Today.

Vital Amendments Read Into the Measure-On Passage Bill Will Go to House at Once.

Consolidation is not yet, but in a restricted form it may arrive this afternoon. This morning the senatorial forces marched up Consolidation bill for what seemed a finish fight. At noon they marched down again without firing a decisive salve. Three times during the morning the time seemed opportune for a final cote, but once Senator Park stopped it to make a speech in favor of his bill, and then Senator Hulaniski stopped it again by moving to take a recess till this afternoon.

Senator Bullen, leader of the opposition, who seemed to have spoken to his full desire before Senator Park started, now declares he has a speech it will take an hour to deliver, and that he is going to speak it out when the senate again convenes. As Park will have the opportunity of closing, this seems to forecast an afternoon of words before the final vote is taken.

There were many little skirmishes this morning in which both the anticonsolidation forces and the consolidation forces and the morning in which both the articon forces lost ground to the men from Weber county who were able to spread out their "middle of the road" territory in a large zone towards both horizons.

TO BE AGRICULTURAL ONLY. ator Park stopped it to make a speech

TO BE AGRICULTURAL ONLY. The consolidation forces lost in the acceptance of an amendment to Park's bill, by Hollingsworth, making consolidation only partially complete, and the anti-consolidation forces lost by the rejection of an amendment by Bullen seeking to read into the constitution a list of studies which must be taught at Logan, including enough courses to make almost a complete university.

When the day's work opened at 10:30 make almost a complete university.
When the day's work opened at 10:30 o'clock, the first question up was Hollingsworth's amendment to Park's bill. Before it could be acted upon. Bullen submitted an amendment to the amendsubmitted an amendment to the amendment, providing that in the constitution there be inserted a clause requiring the Agricultural college at Logan to give courses leading to degrees in agriculture, domestic science and art, and irrigating engineering, with instruction in military science and tactics, history, language, and the various branches of mathematics, physical and natural science, and mechanic arts, with special reference to the liberal and practical education of the industrial classes, and such other branches and courses as may be determined by the legislature."

egislature.

THE VITAL AMENDMENT. The amendment stirred up a crossmark the proceedings until Senator Park broke through for a set speech after this amendment had been lost, and the one from Hollingsworth ac-

cepted.

This amendment is entered as a proposed addition to sec. 4 of article 10 of the constitution, and is added to S. B. 171 in the following form:

"Sec. 4. The Agricultural college of Utah and the University of Utah are hereby consolidated, but the identity of each is preserved. The University of Utah shall include a school of arts and sciences, an agricultural college.

of Utah shall include a school of arts and sciences, an agricultural college, a school of mines, a normal school, and such other colleges and schools as the legislature may establish; provided, that the Agricultural college shall be located at Logan City in Cache county. Branches of any of the existing schools or colleges of the university may be maintained at Logan City in Cache county, Salt Lake City in Salt Lake county, and Cedar City in Iron county. All rights, immunities, franchises, and endowments heretofore granted or conferred under the Agricultural college and to the University of Utah, are hereby confirmed and perpetuated under the University of Utah, and under its several schools and college and under the University of Utah, and under its several schools and col-

The amendment went into the bill with only three votes against it, which seemed to indicate that the consolidationists had decided to give in in a body in order to secure Weber county's vote without which they do not consider victory to be possible.

In defending his amendment Senator Hollingsworth deciared that he had gone carefully into all phases of the situation, and that all these phases had been presented to the legislature. He then reviewed the history of the case, and his connection with it as chairman of a joint committee of the house and senate of the Sixth legislature. The amendment went into the bill

and under its several schools and col-

MANY PETITIONERS.

"I have received," he declared, "a large petition from tax payers in Wober county asking me and my colleague, Sanator Hulaniski not to vote for con-

country asking me and my colleague, Senator Hulaniski not to vote for consolidation or any proposition involving one board of control for the two institutions. I recognize the right of tax payers to petition in this manner, their legislative representatives, but at the same time I know how easy it is for people to get signatures to petitions. I venture to say that none of the signers of this petition have given the matter more than passing consideration."

After serving this notice on his constituents that he was going to defend partial consolidation, Senator Hollingsworth went into the matter of a consolidated board of control, arging that he was informed on the highest authority that the federal government would not look less favorably on an agricultural department of a university than on an independent school. He read the specches of President Kerr delivered before the consiliutional convention in favor of consolidation. When interrupted by Senator Lawrence, who asked if President Kerr had not changed his opinion since, he answered that he bad.

Law IGNOSED.

### LAW IGNORED.

"Two years ago." went on Holling aworth, "the legislature passed a bilt restricting the courses of study in the Agricultural college, but in violation of the terms of that law they have commenced a freshman class in englicering. That shows that restricted courses are ineffectual. We must put at end to this ceaseless strife, this continual lobbying, this competition for supremacy between two big fival institubetween two big rival institu-"I favor an amondment to the con-