### DESERET EVENING NEWS TUESDAY APRIL 2 1907



### Asks Court to Release Him From Biggy's Custody and Place Him in Sheriff's Charge.

#### SEEKS HABEAS CORPUS WRIT.

Petition is Extremely Long, Embracing Sixty-two Subdivisions-No Action Has Been Taken on It.

San Francisco, Cal., April 1.-On the eve of his trial on the charge of extorting \$28,000 from French restaurant keepers of this city, which is to be begun tomorrow morning before Judge Dunne in the superior court, Abraham Ruef today asked the supreme court of California to free him from the custody of Elisor Biggy and order him into the charge of the sheriff, whom Judge

the charge of the sherin, whom Judge Dunne disqualified on the ground of personal interest. Read, by his attorneys, Messrs. Short-ridge, Ach, Fairall and Murphy, filed, in the higher court, an application for a writ of habeas corpus, so extensive in allegations, arguments and citations of authorities that it occupies 21 type-written pages and embraces 62 subdivis-ions.

10115. THE PETITION. The FERRICAL Ruef sets up that his imprisonment, detention and curtailment of libery by Ellsor Biggy in the house, No. 2849 Fill-more street, are illegal; that his case was in court for four months prior to March 4, and that on that date, be-ing indisposed, he concluded to visit the Trocadero, a suburban resort, and there recuperate, believing on the advice of his counsel that his presence in court was not recultred, owing to an appeal recuperate, believing on the advice of his counsel that his presence in court was not required, owing to an appeal taken by him to the supreme court of the United States, by means of a writ of error granted by Superior Judge Hubbard; that he was there arrested without legal right; that he has applied to Judge Dunne for admittance to his bail and has been refused; that he is dy years of age, has lived in San Fran-cisco all his life, has been engaged in the practise of law for 20 years, and has large business interests at stake; that he is constantly and minutely watched by eight private guards and the court elisor, all of them bearing firearms, all of them employed by Ru-dolph Spreckels, Francis J. Heney and William Burns; and all of them paid out of a private fund of \$100,000 raised and guaranteed by Spreckels; Han his indictment by the grand Jury was in-stigated and caused by Spreckels, Heney and Judge Dunne are his political eme-nies; that so strict is the espionage maintained over him by his guards that it is impossible for him to have privacy even in conversation with his attorneys, It is impossible for him to have privacy even in conversation with his attorneys, oxcept by whispering softly; that he has complained to Judge Dunne, through his counsel, and has been re-lused more liberty; that persons who are to be witnesses in his defense are not permitted to visit and converse with bin in the prenaration of his defense. in in the preparation of his defense; hat he is compelled to sleep in a bed-hamber occupied by guards and wherein lights are kept burning all aight; that he is practically in a state

sighth amendment to the Constitution of the United States, and of section six of article one of the constitution of Cal-lornia referring to ball and cruel and unusual punishment; that he is being ruelly and unusually punished. He asks to be discharged from the custody of the slisor on reasonable ball, and to be then ordered into the custody of the sheriff, and that pending the hearing of this petition an order of the court be made, directing the elisor to permit any one petition an order of the court be made, lirecting the elisor to permit any one person at a time to visit and talk to alm within reasonable hours, and to permit any person to visit him upon tritten order of his attorneys, and to

Hundreds of Salt Lake City People Find Daily Toll a Burden. The hustle and worry of business

The hard work and stooping of workmen, orkmen, The woman's household cares, Are too great a strain on the kid-Backache, headache, sideache, Kidney troubles, urinary troubles

men.

STRAIN TOO GREAT.

(ollow A Salt Lake City citizen tells you

A Salt Lake City citizen tells you how to cure them all. Mrs. Phillp Booth, of 375 West First South St., Salt Lake City, Utah, says: "Kidney trouble bothered me severely for a long time. There was acute lameness and soreness in the back and over the kidneys. I had little rest day or night. I could not lie in bed with-out constantly changing positions and then I got Hitle rest for sharp twinges caught me whenever I tried to move. Doan's Kidney Pills, procured at the F. J. Hill Drug Co.'s store, went right to the cause of the trouble from the start and in a short time I was able to rest at night with comfort. Con-tinuing the ireatment I found relief from every symptom of kidney trouble and the pains and aching entirely dison board the steamer Coptic at S Francisco tomorrow and shipped Hongkong. and the pains and aching entirely dis-appeared. I believe Doan's Kidney

Pills the greatest kidney remedy in ne world." For sale by all dealers. Price 50 cents. Foster-Milburn Co., Buffalo, New York, sole agents for the United States Remember the name-Doan's-and take no other.

rmit him to consult freely and open ly with his attorneys outside of the hearing of Elison Biggy and his guards. The supreme court took no action upon the application today, not even issuing an alternative writ.

LOS ANGELES WITNESSES.

Edwin T. Earl, owner of the Los Angeles Evening Express, and Dr. Joh R. Haynes, president of the civil sel vice commission of Los Angeles, an of the direct legislation league of Califormia, were among those who pre-sented themselves today for interro-gation by the grand jury. Both had been subpoened without the knowl-edge of Asst. Dist. Atty, Heney, acedge of Asst. Dist. Alty, Heney, ac-cording to a statement by the prosecu-tion, and Dr. Haynes had been sub-sequently excused by wire, but the telegram did not reach him. Mr. Earl and Dr. Haynes came early in the day to the office of Mr. Heney and had a private interview with him. At its conclusion Dr. Haynes was ex-cused from attendance on the grand jury and Mr. Earl was requested to recused inom attendance on the grand jury and Mr. Earl was requested to re-main and testify, inasmuch as he was director of the Western Trust com-pany, the Los Angeles corporation which was organized for the purpose of underwriting the bonds of the Home Telephone company of San Francisco

Francisco. Mr. Heney said

Mr. Heney said: "Only I excused Mr. Haynes because I was satisfied he knew nothing whatever of the affairs under investi-gation. I asked M. Earl to appear because I thought I might be able to enlighten the jury I ecrtain Home Telephone company matters. I after-ward learned that Mr. Earl had no knowledge at all of wrong-doing in knowledge at all of wrong-doing in connection with either the Western Trust company or the Home Tele-phone company. He answered readily the questions put to him in the jury room, but he could add nothing to room, but he could add horning the investigation, because he knew nothing

EARL'S TESTIMONY.

stenographer, and a typewritten tran-script of its contents." He would not discuss the matters contained or give any information as to their importance to the prosecution. LOS ANGELES GIRL MARRIES A CHINAMAN.

Los Angeles, April 1.—Emma Culver of Duarte, a young California giri who a month ago married Lee Young, a Chinaman, started with the latter to-day when, with 37 others of his race, he was loaded on board a Southern Pacific train bound for San Francisco en route to Hongkong, on an order of deportation from this country. Miss Gulver is the niece of a missionary worker. She met the young Chinaman Monrovia several months ago and unity they were married. The Yung was arresting court was ordered deported. His young wife stavd by his side constantly and when be order of deportation was made gainst her husband she announced that she would go with him to China. that she would go with him to China. Today she boarded the train with him. The party is in charge of Deputy United States Marshal J. S. Durbin and six assistants. They will be put on board the steamer Coptic at San

#### REPUBLICANS CARRY HELENA.

Helena, Mont. April 1 .--- With the exception of one ward the Republi-an swept the city today in the alder-

can swept the city today in the alder-manic elections. There was no mayor to be elected this year. The two candidates for re-election who led the fight on the revocation of the gas franchise of the lighting com-pany and against whom a bitter fight was waged received the biggest ma-jority. One of them was forced to run independently, having been de-feated at the Republican primary. THE FAVROT INDICTMENT.

#### Quashed Because One of the Jurors Could Not Read English.

Could Not Acad Annuality on New Orleans, April 1.—Inability on the part of a juror to read and write the English language has resulted in quashing the indictment against Con-quashing the indictment against Congressman-elact George K. Favrot, charged with the murder of Dr. Ald-rich in Baton Rouge last autumn. In the district court a demurrer to the indictment was sustained on the ground that one member of the jury, an Italian, could neither read nor write English. The state appealed to the supreme court, which affirmed the decision of the lower court,

BRYCE MAY HAVE MONUMENT. Ottawa, Opt., April 1 .- James Bryce

British ambassador to the United States, was the guest of honor at the Canadian club banquet tonight. Sir Wilfrid Laurier said in toasting the

within Laurier said in toasting the guest that Mr. Bryce was the first British ambassador at Washington who had ever visited Canada. "If Mr. Bryce," continued the pre-mier, "is able to turn a new leaf in regard to Canada's relations with the United States I will propose for him a monument on perlargent hill a monument on parliament hill.

### EXPOSURE.

To cold draughts of air, to keen and cutting winds, sudden changes of the temperature, scanty clothing, undue ex-posure of the throat and neck after pub-lic speaking and singing, bring on coughs and colds. Ballard's Horehound Syrup is the best cure. Mrs. A. Barr, Houston, Tex., writes, Jan. 31, 1992: "One bottle of Ballard's Horehound Syrup cured me of a very had cough. It is very pleasant to take. Sold by Z. C. M. I. Drug Dept. 112 and 114 South Main Street. B



Law and Order Forces Are in Control and no Further Trouble Is Anticipated.

STATEMENT OF COMMITTEE.

Reports That Business Men and Mine Owners' Association Formed to Combat Organized Labor, False

Goldfield, Nev., April 1.-The situation in Goldfield is unchanged. Everything is quiet and business generally is being onducted as if no trouble existed at the mines. The law and order forces have the situation well in hand and no

further trouble is expected. The executive committee of the busi-nessmen and mine owners association today issued this statement: the Public:

"All statements, reports or assertions that the Business Men and Mine Own-ers" association of Goldfield has been formed to combat or oppose organized labor or to overthrow the Western Fedlabor or to overthrow the Western Fed-eration of Miners are unqualifiedly false. Its purpose, as declared at the outset is to rid the community of the long continued and intolerable agita-tions of the un-American organization calling itself the Industrial Workers of the World that we may permanently settle and adjust the labor and business conditions of this great mining camp, with due regard to the interests of all. To this end we have invited and will welcome the co-operation of all genuine labor unions toward the establishment welcome the co-operation of all genuine labor unions toward the establishment of industrial peace which is indispensa-ble to continue law, order and pros-perity. We reiterate our original an-nouncement that no declaration of war has been issued or felt by this associa-tion against the Western Federation of Miners."

There is no intention of disturbing present conditions as to hours and wag-es, and when the object above stated has been accomplished the association believes that an agreement can be signed between the mine owners and the miners guaranteeing the present hours and wages for any number of years that may be mutually agreed upen.

LEHIGH VALLEY R. R. MAKING POOL ROOM RAIDS IN NEW YORK.

New York. April 2.—The poolroom situa-tion in New York is again attracting at-tiention, following two important raids made by the district-attorney's office. One of the places raided was in Lower Broad-way and the other at 112 Fulton street. Both apparently were distributing points of information for a chain of poolrooms, and important books and papers regard-ing the illegal business, together with a list of rames of patrons, some prominent, social and in business life, were seized. Dist.-Atty. Jerome has had his assist-ants examine the seized documents and today he makes public some of the sur-prising things they found. The books show that five men in the Fuiton street poolroom syndicate made a profit of over \$20,000 monthly for many months. The profits for a year are placed at \$250,000 indicating what little chance a majority of bettors have. These immense profits its sured on

sured on its vestibuled trains. Its double track is stone ballasted throughout, and trains are protected by automatic electric block signals. Your local ticket agent will sell you tickets reading over the Lehigh Val-ley from Niagara Falls or Buffalo to New York or Philadelphia. Descriptive matter malled on request to Chas. S. Lee, G. P. A., 143 Liberty St. New York. St., New York.



To New York.

WHITE'S ART TREASURES.

on bluese min

including artists, 's visited the Stanf

ropolitan museum of ral visits of inspecto rated that the museu

sterested bidder at the sales.

TO CANONIZE PIUS IN

THE RICHEST MAN IN THE WORLD.

The victors man in the world es ave his kidners replaced nor live ut them, so it is important not to act these organs. If Foley's Kidners is taken at the first sign of dang ymptoms will disappear and your cill be restored, as is strengthen

eaters visited the Star esterday and viewed which are to be sold at lay, Friday and Satur dmission was by tick o exhibition will be gi-Sir Casper Purdon Ch







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to tear everything off my hands to scratch the skin. I could not rest or sleep. I had several physicians treat me but they could not give me a permanent cure, nor could not give me a permanent cure, nor even could they stop the itching. After using the Cuticura Scap, one box Cuti-cura Ointment and two bottles Cuticura Resolvent for about

at times I would have

Resolvent for about ix days the itching had ceased, and now he sores have disappeared, and I nevey slt better in my life than I do now. dward Worell, Band 30th, U. S. Infan-ry, Fort Crook, Nebraska."

The most torturing and disfiguring humors, eczemas, rashes, itchings, irri-tations, and inflammations of the skin, scalp, and blood, with loss of hale of in-fants, children, and adults, are instantly relieved and speedily cured by the Cuti-cura Remedies, when all else fails.

plete Enternal and Internal Treatment for Every e of Infasts, Children, and Adult consists of Curf-ess (Sain) to Cleanast the Kile, Dultares, Olatiment to Real the Exis, and Curfaster File (Cleanadath Ber, par shiel of 60 to Party the Stord, throughout the world, Potter Days & Chese, Corp.,

then he was wholly ignorant of the wrongful use of funds in any of the matters under investigation or to be investigated. Before Mr. Earl left the witness stand this unusual dialogue happened between Earl and Henory.

stand this unusual dialogue happened between Earl and Heney: Mr. Earl-Mr. Heney, is it not a fact that you have told me more about the affairs of the Home Telephone company than I knew before I came into this room? Mr. Heney-That is correct. Mr. Earl-Are you satisfied that I know nothing of the affairs you have questioned me about? Mr. Heney-Entirely. Mr. Heney-Entirely. Mr. Earl-Will you so state to the press?

Mr, Heney-I will, sir, with pleas-

Mr. Heney—I will, sir, with pleasure. Other witnesses examined by the grand jury today were Hartley Peart, an attorney associated with George Hatton, general counsel for the Home Telephone company at Oakland; Miss Lucile Cochran, stenographer to George Hatton; Stuart Gayness, a local newspaper man, and Mr. Stice, assistant general manager of the Pacific States Telephone company. Miss Cochran was interrogated and testified as to letters to the Home Telephone company of San Francisco which had been dictated to her by Hatton. "I couldn't tell the jury much." said Miss Cochran, after she had been excused. RUEF'S TRIAL.

RUEF'S TRIAL.

need. RUEF'S TRIAL. RUEF'S TRIAL. The trial of Ruef on the extortion charges is, unless the program be ab-partment of the superior court at 10 origical courses the program be ab-partment of the superior court at 10 origical courses that 10 days, or even two weeks, will be taken up in getting and Murphy will appear for Ruef, Ach being authority for the statement, made tendsh, that no additional coursel will be engaged. The talesmen will be ex-animed by Ach. Of these there are 19 probability for the statement, made tendsh, that no additional coursel will be engaged. The talesmen will be ex-animed by Ach. Of these there are 19 probability for the statement, made tendsh, that no additional coursel will be engaged. The talesmen will be ex-animed by Ach. Of these there are 19 probability for the statement, made to all appear for the properties of un-called name on the register jury list, or be can order the elisor to bring in a special venire from the county at large. Dist, Atty, Langdon and Special Prose-cutor Hiram 1. Johnson, it is under-stood, will appear for the people, Asst Dist, Atty, Heney remaining with the stand jury, whose sessions are not to be suspended during the progress of rivels resulting from Indictments re-trais resulting from the challenge tales-med. The defense is entitled to 10 peremptory challenges, the prosecution for announced today the receipt of a chalser resulting from Manila April 9, on the steamship China, in charge of the state resultion of the stearts to for San Francisco from Manila April 9, on the steamship China, in charge of the trais of Supervisor Nicholas. Tanitor Duffy and Nathan Adler, the state the proprietor of a French restau-tion the steamship China, in charge of the there early in Manila April 9, on the steamship China, in charge of the trais of Supervisor Nicholas. Tanitor Duffy and Nathan Adler, the painer for two weeks. They will follow the the finance to see continued by Judge ponne for two weeks. They wil

endar. Mr. Hency started a sensation among the newspaper men immediately after today's grand jury session by remark-ing that he had in his possession "one of the notebooks of Halsey's former

(INCORPORATED BY THE STAT E OF NEW YORK. STOCK COMP ANY.)

### JOHN R. HEGEMAN, President.

# **Another Valuable Concession**

to Industrial policy-holders. The Company announces that every person insured in the Metropolitan under a Whole Life Industrial policy who is now 75 years of age or over 1S RELIEVED OF FURTHER PAYMENT OF WEEKLY PREMIUMS, and a similar concession will be made to all persons now insured under Whole Life policies who will reach age 75 during 1907, as soon as they arrive at that age.

This concession takes effect as of January 1, 1907, and all premiums paid in advance of that date on any policy such AS WE REFER TO WILL BE RETURNED TO THE POLICY-HOLDER. This action of the Company in granting

## FREE POLICIES AT AGE 75

is without precedent in the insurance business, and we believe the Metropolitan Life Insurance Company is the only Company that has granted such a concession. This will cost in increase of reserve and in remission of premiums this year

MILLION DOLLARS OVER ME

appreciate the generous treatment accorded to its policy-holders by the Metropolitan Life, it must be remembered that already dur ing THIS YEAR it has announced and is paying OVER TWO MILLIONS OF DOLLARS in voluntary contributions to Industrial policy-holders, over and above all obligations expressed or implied in their policies, by a cash dividend upon all Whole Life Industrial poli cies over five years old, by mortuary dividends (that is, voluntary additions to the face of the policies when they become claims) applicable to all death claims incurred during the year where policies at the date of death have been in force over five years, and by paying as endowments Whole Life policies on which premiums have been paid for 15 years when insured reaches age 80. This makes a total of OVER THREE MILLIONS THIS YEAR allowed to Industrial policy-holders, over and above the contract

obligations, and OVER THIRTEEN MILLIONS during the past twelve years.

If this announcement of a free policy affects any reader of this advertisement, and if his case has not yet been attended to, we ask him to speak to the agent who collects his premiums and the agent will attend to forwarding the policy to the Home Office, TO BE EX-CHANGED, WITHOUT EXPENSE, FOR A FREE POLICY FOR THE FULL AMOUNT CALLED FOR BY THE POLICY SURRENDERED.

### INCREASE IN BENEFITS.

New Tables with large increases of benefits in Industrial policies have been adopted. The payment of premiums on all new Industrial Life policies will cease at age 75. Reductions have been made in the premiums charged for most of the forms of Ordinary policies.

The Company Wrote More Insurance Than Any Other Company in the World.

The Company Gained More Insurance in Force Than Any Other Company in the World.



In Its Ordinary Department the Company Wrote More Paid-fo Business Than Any Other Company Save One. It Gained More Ordinary Business Than Any Other Company

Save One.

Its Expense Ratio Was LARGELY REDUCED and Was the LOWEST IN FIFTEEN YEARS.

### MORAL--- INSURE IN THE METROPOLITAN.