

UNITED MINE WORKERS.

Tellers Not Ready to Report, Convention Adjourned Until Tomorrow.

Indianapolis, Ind., Jan. 80 .- The tellers having charge of the count of the vote for national officers of the United

Cushioned. New York, Jan. 30.—Two young sur-geons at Believue hospital last night performed an operation which is said to be unique in surgical history. Near-ly two months ago, Michael Fitz-patrick, a trusty in the Tombs prison, fell down an elevator shaft in the prison and broke his back. He was removed to Bellevue, but it was thought nothing could be done for him. He clung to life tenaciously and Dr. Mil-ton E. Lewis and Dr. Dudley S. Con-ley, who were graduated from Colum-bia medical school last year, became much interested in his case. Four of Fitzpatrick's vertebrae were broken and the ragged ends were pressing against the spine, paralyzing the enagainst the spine, paralyzing the en-tire body. The operation consisted in cutting off the ends of these vertebrae with a crescent-shaped saw and winding the stubs of each one with tissue rubber, making a cushion of each. It was believed last night that the operation had been entirely successful. Fitzpatrick must remain for several months on a rubber water-bed.

HIMNEPECCADV UNNEUEDDAHI SUNDAY LABOR

poenaed as a witness for his co-detend-ants, Former Auditor General Snyder, former State Treasurer Mathues, Jas. M. Shumsker, former superIntendent of grounds and buildings, and Sanderson, but may not be called. The feeling against the architect on the part of his four codefendants grows more bit-ter as the trial proceeds.

Though charged only with robbery, Baker and Bowen were spared a trial for their lives only by fate. Green, their victim, was lured into a remote and dismal portion of the city on Dec. 19, 1907. The men had told them that they had some junk hidden near the Warm Springs and that they wanted Green, who is a junk dealer, to go out and lok at it. Green, unsuspecting, took the two men in his wagon to the place, and when the men reached a spot they had selected, they assaulted Green with heavy hammers. They tractured his skull and rendered him unconscious. He was found a short time after the robbery and taken to a hospital. There he lingered between life and death, with death apparently holding the winning hand. Fate stepped in and defeated every matural law. Several pleces of Green's skull were removed, the pressure upon his brain was relieved, and in the end he con-quered. Every trick known to sci-ence was resorted to and Green's case stands as one of the peculiar cases in medical and surgical practise in the United States. Doctors say that they believ eno other case is of record where a man so near death recovered.

MAY BE SEVEN STORIES

New York, Jan. 30.—There was on-other great crush at the criminal courts building today to hear Dist. Atty. Jerome make the closing ad-dress for the people in the Thaw case. dress for the people in the Thaw case. When the doors were opened the court chamber was found to be al-ready filled with specially privileged spectators. Justice Dowling was late in getting down town and it was some time after the hour set for convening when he took his place on the bench. Evelyn Nesbit Thaw and Josiah Thaw were the only members of the defendant's family present when Mr. Jerome began his argument at 11 o'clock. He declared the case had been handled by him with some diffi-culty as he had had many other mat-ters of importance to attend to at the



ments which have been published from time to time appear in the bill, al-though in general character the bill remains the same as when introduced. There has been an effort on the part of the committee to emphasize the emer-gency nature of the act that is proposed and to this end various amendments are inserted in the bill which are in-tended to cause smedy issuance of adare inserted in the bill which are in-tended to cause speedy issuance of ad-ditional currency when a stringency oc-curs. The following amendment is in-serted in the first section of the bill in lieu of the provision which gave the comptroller of the currency power to fix the time and amount of issues, when application is made, according to his judgment and at his convenience.'

BILL REPORTED.

The Aldrich financial bill, which has been in the hands of the committee on

finance since its introduction in the sen-ate on Jan. 7, was reported today by Senator Aldrich. The various amend-ments which have been published from

IMPORTANT AMENDMEN'T.

The comptroller of the currency shall with his recommendation, to the secre-tary of the treasury, who shall, if in his judgment business conditions in the locality demand additional circulation. rove the same and shall determin time of issue and fix the amount within the limitations hereinafter in of of order lon of the additional circula-lon of notes to be issued in order that the distribution of notes to be issued under the proof this act shall be made sequitable as practicable between the various sections of the country, the secretary of the treasury shall not tary of the treasury shall not ove applications from associations by state in excess of the amount hich such state would be entitled a additional notes herein author-on the basis of the proportion h the unimpaired capital and sur-of the national banking associa-in such state beers to the total in such state bears to the total

in such state bears to the total int of unimpatred capital and sur-of the national banking associa-of the United States; ovided, however, that in case the cations from associations in any shall not be equal to the amount a the associations of such state d be entitled to under this method is the descent of the of distribution, the secretary of the treasury may in his discretion, to meet an emergency, assign the amount not thus applied for to any applying as-sociation or associations in the states in the same section of the country."

VALUE OF BONDS.

The clause of the original bill fix-s 75 per cent of the market value all municipal and railway bonds as the limit of the issue of notes against them has been amended so that railroad bonds alone are to be taken at 75 per cent of their market value. Notes may be issued against de osits of municipal uel against de ceits of municipal ounty bonds up to 90 per cent of market value.

The limit of circulating notes that ay be lasued under the act has been used from 250,000,000 to 500,000,000. The section of the bill relating to the Departer of interest hearing obliga-objects of interest hearing obliga-ns or any legally authorized bonds states, cities, towns and counties deposits for the security of addi-nal bank currency issued against on has been broadened considera-by an endment amendment.

biy by amendment. The words "or other legally consti-futed municipality or district," which have been added, are taken to mean that bonds issued by school districts and townships will be acceptable pro-viding they conform to requirements specified. The population of these municipalities is fixed by the reported bill at 10,000, instead of 20,000 as orig-inally proposed. inally proposed.

SECRETARY'S DUTY.

There is an amendment making it the duty of the secretary of the treas-ury to obtain information with refer-face to the value and cahracter of the municipal and railroad securities au-

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Mine Workers were not ready to report today and the convention adjourned until tomorrow. Claims of ir-regularities in the vote of some of the locals is delaying a tabulation of the vote. Friends of T. L. Lewis claim his election as president by from 15,000 to 20,000.

Representatives of the coal miners Representatives of the coal miners and operators of Illinois, Indiana, Ohio and western Pennsylvania, known as the central competitive field, met to-day to decide whether a joint confer-ence shall be called to make a wage scale to go into effect on April 1, and to recendentiate the interstate agreed-ment which was intersurted the agreedment which was interrupted two years ago. Conferences similar to that of today were held here Dec. 19 without

any result. A. W. FURGUSON DEAD.

He Was' Secretary to the Philippine Commission.

Washington, Jan. 30 .- Arthur W

Ferguson, secretary to the Philippine commission, died suddenly of heart disease in Manila last night. The information was contained in a cablegram received at the war department

and received at the war department today from Gov. Smith. Mr. Ferguson was a native of the District of Columbia and was appoint-ed secretary to the Philippine commis-sion in 1398 and had resided almost continuously in Manila since that date. He was formerly secretary to the French claims commission and enjoy-ed the reputation of being the ablest Scanish-American translator known to nish-American translator known to fficial Washington.

HACKENSCHMIDT BEATS ROGERS

London, Jan. 30.—George Hacken-schmidt, Russian, defeated Joe Rog-ers, American, in the wrestling match here today for the world's champion-ship. Hackenschmidt gained the urst two falls. The time of the first fall was seven minutes, 35 seconds, and that of the second six minutes and 45 seconds.

Hackenschmidt consequently re-dins the title of champion. The latch was under "catch as catch ab" rules, best two out of three falls, (th 10 minute rest periods allowed tains the title match with 10 between bouts.

PEARL HARPER ACQUITTED.

Cadillae, Mich., Jan. 30.—It took a jury last evening just 10 minutes to and a verdict of acquittal of Pearl Harver, a 15 years old girl, charged of f killing her father, Melvin Thomp-

Thompson had come home intoxicated in the night and had threatened to kill the girl and her mother, the girl break-ing his skall with a stove poker when he attempted to carry out his threat.

TORPEDOBOAT FLOTILLA SAILS.

Tokpesoboat Florinita sails. Buenos Ayres. Jan. 30.—The flotilla of American torpedo boats, under the command of Lieut. Cone, on its way from Hampton Roads to Magdaliona bay, sailed from this point at 9 o'clock this morning, for Punta Arenas after a stay here of four days. The Norih American society of the river Platte, cutertained the visiting officers and men yesterday. There were field sports of various kinds and a collation. Over 1,000 residents of Buenos Ayres were among the guessi.

TO STOP GREAT LOSS ON MOVING EMPTY CARS.

Chicago, Jan. 30.—A special meeting of the American Railway association has been called for Chicago Feb. 7 for the purpose of adopting measures to stop the tremendous loss occasioned by the present movement of empty cars on the radiroads of the country. on the railroads of the country. It is the first special meeting in the history of the association and the emer-gency is regarded as great. It is stated that since the falling off in traffic be-gan several million dollars have been wasted by the railroads in their frantu-efforts to send the empty cars of other railroads home and thereby escape the benalty of 50 cents a day for the use penalty of 50 cents a day for the use of a foreign car. This penalty was im-posed by the association less than one year ago to accomplish the very thing which the railroads are now anxious to stop. At the time that the 50 cents stop.

stop. At the time that the 50 cents penalty was imposed, however, the railroads were more than 150,000 cars short of the number required to take care of the traffic offered. It was, therefore, desired to insure the speedy return of freight equipment to the road owning the cars and to prevent roads which were short of equipment from re-taining and using cars belonging to taining and using cars belonging to other lines. Now the situation has so materially

Now the situation has so materially changed that there are at least 55,000 idle freight cars in the United States, and no road desires the speedy return of its equipemnt. It is stated that fully one-fifth of the entire freight car movement recently has been that of empty cars being hurried to the own-ing or home roads. This movement ing or home roads. This movement costs an immense amount of money, and the railroads have come to the conclusion that it would be better to per

clusion that it would be better to per-mit the cars to remain where they are until they are needed. It is, therefore, purposed to suspend the operation of the per diem rules, be-ginning March 1 and continuing until the situation again demands a penalty. Railroad men declare that the present Railroad men declare that the presen situation has never had a parallel .

NUNS SAVE CHAPEL.

NUNS SAVE CHAPEL. New York, Jan. 30.—Acting quickly in an emergency, the nuns of the Academy of the Sacred Heart on Aqueduct avenue, the Bronx, saved their new chapel from being destroyed by fire last night. Work-men left some oiled rags in a corner of the chapel now under construction along-side the main building of the academy. When these caught fire in some way an alarm was turned in, but the nuns, not waiting for the firemen, quickly formed a bucket brigade and had the fire out with but slight damago before the apparatus arrived.

A LITTLE BLACK ANTELOPE. New York, Jan. 30.-Found by keep-

rew fork, ball doer house at the Bronx zoo yesterday, a little black an-telope scarcely larger than a rabbit is being cared for in one of the zoo's incubators. It bears the distinction of being the first of its species born in cantivity.

U. S. Judge McPherson Declines **To Interfere With Enforcement** Of Misdemeanor Statute.

Kansas City, Jan. 30 .- Judge Smith McPherson, in the United States district court here today handed down a decision declining to interfere with the county officials of this county in the enforcement of the Missouri statute making unnecessary labor on Sunday a misdemeanor.

The decision was rendered in a case brought in the name of Nance O'Neil, the actress, and the local theaters who sought to permanently enjoin the coun-

ty grand jury from indicting them The decision is a vindication for Judge William H. Wallace of the crim-inal court, who in his campaign for inal court, who in his campaign for Sunday observance has caused the indictment of 2,000 stage folk and the atrical managers and attaches as well as hundreds of storekeepers for al-leged violation of the Sunday law. All

leged violation of the Sunday law. All have been required to give heavy bond. None of the cases has com-the theatrical managers, who have furnished the bonds in the actous theater cases, having declined an of-fer of Judge Wallace to bring about a test case in the lower courts. The complainants last Saturday se-cured a temporary injunction restrain-ing the grand jury from indicting them. They sought a permanent injunction,

They sought a permanent injunction, which was today denied by Judge Mc-Pherson. The complainants alleged that the grand jury now in session was illegally drawn and that Judge Wallace personally selected the jurors in viola-tion of the law. This Judge Wallace denied denied. Judge McPherson in his decision to-

day says: "This court expresses no view with "This court the construction to be reference to the construction to be given to the Bunday statutes of this state. That the Missouri legislature, has the power to enact Sunday statutes. no man of common information ques-tions. It is a question of policy of the state

'Whether the criminal court of Jack-"Whether the criminal court of Jack-son county is right or wrong. United States courts cannot and must not in-terfere. The dignity of this court must be maintained, and it cannot be main-tained if it undertakes to interfere with local police questions of the state that were properly and exclusively lodged with the states when our government was organized." Judge McPherson says that the prop-er course for the complainants is to

er course for the complainants is to seek trial in the criminal court and then take an appeal to the state su-preme court and finally to the United States supreme court.

BURR ROBBINS DEAD.

Chicago, Jan. 30,-Burr Robbins. old time circus man, died here today, aged 71.

believ eno other case is of record where

believ end other case is of record where a man so near death recovered. The capture of Bowen and Green was made possible by M. Globenfeit. He was with Green in the junk wagon at the time the assault was made. He was one of the first to be assulted, and he rolled from the wagon into the road. Howen and Green believed he and he rolled from the wagon into the road. Bowen and Green believed he was so badly stunned that he could not harm them—if, indeed, he was not dead. After Bowen and Baker left the place, Globenfelt crawled to the road and later gave the alarm. Bowen and Baker were arrested before they had gone a mile from the scene of their murderous assault

WEIGHTS ANNOUNCED.

Those for the Suburban and Brighton As Well as the Brooklyn.

New York, Jan. 30 .- In addition 🔪 the weights for the Brooklyn handleap, those for the Suburban and and the Brighton

for the Suburban and and the Brighton have been announced. In both these races Ballot carries top weight, 126 pounds, the same that he will carry in the Brooklyn. Nealon, Charles Ward and Salvidere are also given the same weights for all races. 125, 122 and 121 respectively. Frank Gill not entered in the Brooklyn, will carry 119 pounds in the Suburban and 118 in the Brighton. Dr. Garden is given his Brooklyn weight in the Suburban at 118, but will carry a pound less in the Brighton. McCarter will run at 114 in the Suburban and at 112 in the Brighton. Col-in will carry his Brooklyn weight of 111 in the Suburban and a pound more in the Brighton. Johnny Lyons has the low weight in the Suburban. 32 pounds, and Gowan foots the list in the Brighton with 87 pounds.

BLOODHOUNDS FOR PANAMA. San Antonio, Tex., Jan. 30 .- The first

of a number of bloodhounds to be used n tracking criminals in the Panama

canal zone were purchased here yes-terday by Licut. Stephens. The degr brought \$200 each. Thus far the gov. ernment has found no suitable dogs exernment has found no suitable dogs ex-cept in San Antonio. Exhaustive tests have been made here with the dogs, and a number of soldiers trailing for miles out from Fort Sam Houston, crossing streams and going through herds of cattle in the endeavor to lose the trail of the dogs.

patch to the Express from Monterey Mexico, says: A petition is being drafted by the grand lodge of Mexican Railway Em-ployes in session here for presenta-tion to the federal government in criticism of the railway hospitals of this republic and requesting that a thorough investigation be made. The petition also proposes that the rail-roads be required to employ none who do not speak, read and write the Span-ish language.

APPLICATION FOR RECEIVER FOR CON. STEAMSHIP CO.

ication has n this city for colver for the npauy. A rep-ters' committee been made in) the appointme Consolidated St said that the units have been brought by creditors who are not untriendly to the company and that it is believed a receivership will best protect the security and other interests concerned. It is also announced that the proceed-It is also announced that the proceed-

Revived That Anerbachs Soon to Erect Elegant New Building on Main Street Property.

Chicago, Jan. 30.-Two burglars. Thomas Rawley and John Armour, were shot today by Christopher Paul-sen, a baker, in the shop of J. J. Lar-son, at 502 Thirty-seventh street. Both

were captured. John Armour can

A rumor obtained in real estate circles this morning, that the Auerbach estate was making active preparations to erect the impressive business structure constmplated some time ago, on

ture constmplated some time ago, on the Main street property. Manager Wallace, on being asked for informa-tion, replied that in the course of the ensuing 18 months, the conditions of their business would make such a step imperative; but up to date, nothing definite had been decided on in any matter of detail. He also knew noth-ing of any street that it was proposed to cut through east and west through the center of the block. The Auerbachs own a frontage of about 100 ft. from A. C. Smith's drug store to the Callahan's Book store, which is susceptible of improvement in the way of building for the future, and upon which real estate men place a valuation of \$3,200 to the front foot -very valuable property. The busi-ness of F. Auerbach & Ero, has grown so in the last few years as to make the present quarters inadequate to ac-commodate it; and the plan is to erect a seven-story building on the site now occupied by Gallaway, Hoock & Fran-cis, and Will Gray, where the firm will remove and occupy until the new build-ing is extended for the remainder of the

remove and occupy until the new build-ing is extended for the remainder of the frontage to A. C. Smith's store. The enlarged structure will make an impressive appearance, and give F. Auer bach & Co. ample room to branch

GEN'L SUPT. PARK HERE.

Union Pacific Official Visits Salt Lake On Tour of Inspection.

General Superintendent W. L. Park of he Union Pacific at Omaha is visiting this city today while out on a regular trip of inspection. He was in Ogden yestrip of inspection. He was in Ogden yes-terday and came down to Salt Lake this morning to confer and visit with Harri-man officials here. He was un town dur-ing the forencoon and also met a number of friends and acquaintances in his priv-ate car down in the Oregon Short Line yards during the day. Euperintendent Whitney is accompanying him on his trip.

WEATHER TALK.

An odd thing, this, the weather man yesperday predicted snow for today and this morning saw snow falling; so id noon and its expected snow will be alling this evening, tonight and to-borrow. Here's the weather bureau's

d for it: ow inconstric pressure extended Low barometric pressure extended over the plateau and Rocky mountain alops this morning, causing light snow inrites west of the Mississippi valley. The Atlantic storm has moved east-vard, attended by light snow over por-ions of the lower takes and New Eng-and. An extensive area of high pres-arre was central over the upper lake region, producing fair weather and low comperatures over a large area, with area on 23 degrees below over portions of New York, Vermont, Pennsylvania, Michigan, Minnesota, and the British provinces. It was showing this morn-

ters of importance to attend to at the same time JEROME RATHER APOLOGETIC.

"If I have at any time lacked in the dignity that attaches to my office," continued Mr. Jerome, "if at any time orginity that attaches to my ontes, continued Mr. Jerome, "If at any time I have shown any asperity or lack of consideration, I can only say now that I regret it. Any personal impression I have made or have not made should have no part whatever in your verdict. You are not trying the district attor-ney. Any sneers he may have made is not evidence for the people and neith-er are they any evidence that Harry K. Thiaw was insane when he killed Stanford White. "As to the woman, if my manner was one of disapprobation, that is not evidence. Neither I nor the woman is being tried here. Harry Thaw is on trial for the murder of Stanford White and the defense is that he was insane on the night of June 25, 1906; that he was not generally insane or is insane

and the night of June 25, 1906; that he was not generally insane or is insane now. All you have to deal with, afi have to deal with, is whether or not at a porticular time and place this de-fendant was insane-whether when he shot and killed Stanford White he knew that the act was wrong and against the law of the land." "I shall endeavor," Mr. Jerome added coldly, "to dissect the evidence in this oase, to trace it step by step, and to show you that the burden the law places upon the defense of proving the insanity of this defendant has not been met."

met.

Jerome explained the different de grees of murder defined by the law, and said in this case the only verdict posable under the circumstances was murder in the first degree, murder in the second degree, manslaughter in the first degree, or not guilty on the grounds of insanity.

WHY THAW KILLED WHITE.

why THAW KILLED WHITE. The district attorney declared Thaw plainly had a motive for killing White. Every act of his for two or three years before the tragedy pointed to his deadiy and conguming hate of the man he kill-ed. Thaw believed that White had drugged and mistreated his wife, he knew that White had kept him out of a New York club; he knew that White had threatened his life if the stage door man is to be believed and he knew just a month before the tragedy White had told May Mackenzie that he heard Thaw and Evelyn were not living hap-ply together and he would get the girl back. girl back

"It matters not whether you believe the girl's story of the drugging or not." declared Mr. Jerome. "The relations of this middle aged married man with the This middle aged matrice man with the girl of 15 cry out to heaven, and no decent man can say a word in defense. I certainly have no intention of doing so. But with all the things I have pointed out to you, if there was no mo-tive in the heart of this defendant. I can brache pothing that can create a can imagine nothing that can create :

can imagine nothing that can create a motive." In his speech last year Mr. Jerome passionately defended Stanford White, declaring that his spirit hovered ever near the courtroom, crying out to be heard in defense, crying for some one to tell the truth and protect a charac-ter Evelyn Nerbit had sought to blacken.

CHARGES JURY TOMORBOW.

Justice Dowling announced as lunch-eon recess was taken today that he would not charge the jury until tomor-row morning, Dist. Atty, Jeroms will conclude this afternoon.

MEXICAN RY. HOSPITALS. San Antonio, Tex., Jan. 30 .- A dis-patch to the Express from Monterey

ish language.

murderous assault.