## 10 PACES-LAST EDITION.

TRUTH AND LIBERTY.

THURSDAY, APRIL 27, 1905. SALT LAKE CITY, UTAH.

# **GREATEST OF ALL** CARNEGIE'S GIFTS.

Gives \$10,000,000 to Provide Annuities for Superaunuated College Professsors.

### THREE COUNTRIES INTERESTED.

The Favored Ones Are the United States, Newfoundland and Canada.

TRUSTEES NAMED AND ACCEPT.

Doner Believes Least Rewarded of All Professions is that of Teacher in Higher Educational Institutions.

New York, April 27 .- A gift of \$10,000,-000 by Andrew Carnegie to provide annuities for college professors who are not able to continue in active service, was announced today by Frank A. Vanderlip, vice president of the National City bank of New York. Professors of the United States, Canada and Newfoundland, will share in the distribution of the income of the fund. United States Steel corporation 5 per cent, first mortgage bonds for \$19,000,-000 have been transferred to a board of trustees and steps will be taken at once to organize a corporation to receive the donation. Dr. Pritchett, president of the Massachusetts institute of technology and Mr. Vanderlip have been selected by Mr. Carnegie to obtain data on the subject to be presented at the first meeting of the board of trustees, which will take place on Nov. 15.

LETTER TO THE PRESS. Mr. Vanderlip today sent the following letter to the press:

"Mr. Andrew Carnegie has transferred to a board of trustees consisting in the main of presidents of the most important colleges in the United states and Canada, \$10,000,000 first mortgage 5 per cent Steel corporation bonds. The purpose of the trust fund thus created is to provide annuities for college professors in the United States, Canada and Newfoundland, who from old age or other physical disability are no longer in a position to render the most efficient service. It is Mr. Carnegie's belief that this fund sion system for a body of most worthy self-sacrificing and poorly paid men, but that it will be of distinct value to the cause of education in offering an opportunity to the trustees of a college to retire members of the faculty who have faithfully served the institution for many years, and to replace such men with young, intelligent and effi-cient professors. I am taking the liberty of enclosing herewith Mr. Carne gle's letter of outlining the nature of his bequest. This letter was written to the members of the board of trus-tees. The list of trustees is also en-

closed. All have accepted.

"Steps will at once be taken to organize a corporation to formally receive the bequest. The first meeting of the board of trustees has been called for Nov. 15. In the meantime it is Mr. Carnegie's desire that Dr. Pritchet, president of the Massachusetts institute technology, and myself proceed to tain data from all the institutions concerned for use at the meeting of the trustees. The bonds which Mr. Caregie has so generously donated have regree has a generously donated have a regree value of \$11,000,000 and will produce an annual income of \$500,000.

"The corporation which is being formed will be styled "the Carnegie foundation."

"Yours very truly,
"F. A. VANDERLIP," MR. CARNEGIE'S LETTER.

Mr. Carnegie's letter to the trustees is dated April 18, and is as follows:
"I have reached the conclusion that
the least rewarded of all the professions is that of the teacher in our ligher educational institutions. ork City generously and very wisely, rovides retiring pensions for teachers her public schools and also for her dicemen. Very few indeed of our colleges are able to do so. The consequences are grievous. Able men hesitate to adopt teaching as a carrier, and many old professors whose places should be occupied by younger men cannot be retired.

I have, therefore, transferred to and your successors as trustees, \$10,000,000 5 per cent first mortgage bonds of the United States Steel cor-poration, the revenue from which is provide retiring pensions for the chers of universities, colleges and technical schools in our own country, Canada and Newfoundland, under such conditions as you may adopt fr time to time. Expert calculations sh that the revenue will be ample for the Purpose.

THREE CLASSES OF BENEFICIAR-

MES. The fund applies to the three classes of institutions named without regard to race, sex, creed or color. We have, how-ever, to recognize that state and comial governments which have estab-shed, or mainly support universities, colleges or schools, may prefer that their relations shall remain exclusively

with the state. I cannot, therefore, presume to include them.
"There is another class which states do not aid, their constitutions in some cases even forbidding it, viz: sectarian institutions. Many of these establishlong ago were truly sectarian, but day are free to all men of all creeds or of none such are to be considered secturian. Only such as under control sect or require trustees (or a ma jority thereof), officers, faculty or stu-dents, to belong to any specified sect, or which impose any theological test, are to be excluded.

## TRUSTEES.

Trustees shall hold office five years and be eligible for re-election. The first trustees shall draw lots for 1, 2, 3, 4 or 5 years terms, so that one-fifth shall lettle and bear terms.

tire each year. Each institution participating in the fund shall cast one vote for trustee.

The trustees are hereby given full vers to manage the trust in every re-ct, to fill vacancies of non-ex-officio members; appoint executive commit- other to Barcelona, Spain,

tees, employ agents, change securities. and generally speaking to do all things necessary in their judgment to insure the most beneficial administration of the funds.

"By a two-thirds vote they may, from ime to time, apply the revenues in a different manner and for a different hough similar purpose to that specichanges as render this necessary in their judgment to insure the most beneficial administration of the funds.

"By a two-thirds vote they may, from time to time, apply the revenues in a different manner and for a different though similar purpose to that see

th a universal that a the continuous summars of the continuous summars

education.

"No trustee shall incur any legal liability growing from his trusteeship. All traveling and hotel expenses incurred by trustees in the performance of their duties, shall be paid from the fund, the expenses of wife or daughter, accompanying the trustees to the annual meeting included.

"I hope this fund may do much for the cause of higher education, and to remove a source of deep and constant anxiety to the poorest paid and yet one of the highest of all professions.

"Gratefully yours,"

"ANDREW CARNEGIE."

atefully yours, "ANDREW CARNEGIE."

THE BOARD.

THE BOARD.

The trustees include the following:
President—David S. Jordan, Leland
Stanford, Jr., university.
President A. T. Hadley, Yale university, New Haven, ct.
President Charles William Eliot, Harvard university, Cambridge, Mass.
President William R. Harper, University of Chicago, Chicago.
President Nicholas Murray Butler,
Columbia university, New York,
President Jacob G. Schurman, Cornell university, Ithaca, N. Y.
President Woodrow Wilson, Princeton, Princeton university, N. J.
President L. Clark Seelye, Smith college, Northampton, Mass.
Provost, Charles C. Harrison, University of Pennsylvania, Philadelphia,
President Peterson, McGill university,
Montreal, Que.

Montreal, Que. Henry S. Pritchett, Boston, president

Henry S. Pritchett, Boston, president Massachusetts institute of technology. F. A. Vanderlip, New York. T. Morris Carnegie, New York. R. A. Franks, Hoboken, N. J. T. Morris Carnegie is a nephew of Andrew Carnegie, R. A. Franks is Mr. Carnegie's financial secretary.

### CHICAGO TEAMSTERS' STRIKE IS SPREADING

Chicago, April 27.-The teamsters strike, which hitherto has affected less than 100 men and has been confined to a boycott of Montgomery, Ward & Co., spread today to the wholesale and retail houses of Marshall, Field & Co., and Carson, Pirle, Scott & Co. and to the wholesale house of J. V. Farwell & Co. Strike pickets with orders to prevent, if possible, the handling of any goods by noon-union men were placed about the stables, stores and warehouses of the firms named.

firms named.

As a result of the spreading of the strike heavy trucks and city delivery wagons were kept behind locked doors in Field's La Salle street barn, and at the Carson, Pirie, Scott & Co.'s barns. The reason assigned being to prevent pickets learning what preparations were being made.

were being made, Drivers for the railway express com-panies refused today to haul or deliver goods to the firms against which the teamsters had struck. One hundred and ninety drivers of the A. M. Forbes Cartage company struck.

### NO CLEW TO SMITH. FUCITIVE TAX COLLECTOR.

San Francisco, Cal., April 27.-No lew to the whereabouts of Edward J. Smith, the fugitive tax collector of this city, has been obtained by the police. though captain of Detectives Burnett thinks he may have gone to Honduras to escape arrest and extradition. The full amount of his defalcation will not known until the experts now examlning the books of his office have com-pleted their work, but the loss to the ity, should it not exceed \$100,000, will be made good by the surety company, which furnished his official bond. The manager of this company says that Smith's previous shortage of \$165,000 smith's previous shortage of \$165,000, which was made good by his brother, was never brought to its notice. The methods used by the tax collector to conceal his operations are declared to have been many, involving considerable jabor on the prt of the accountants who are endeavoring to trace them. After their report has been made to the board of supervisors that body will take action on the suspension of Smith by action on the suspension of Smith by Mayor Schmitz.

Approval of this suspension is equiva-lent to a removal from office. The may-or then will have the appointment of a successor to the defaulting official.

successor to the defaulting official.

The grand jury now in session has taken notice of the matter and probably will make a thorough investigation.

It is estimated by the experts engaged in examining the books of the tax collectors' office that Smith's defall tax collectors office that Smith's defal-cation will amount to at least \$68,000. They discovered today an item of \$10,-000 which had not been entered, and al-so detected several smaller shortages. The police believe that most of the money taken from the city was spent by absconder Smith for the benefit of women friends one of whem without

## CLUBFOOT, THE GRIZZLEY. Terror to Ranchmen, Killed by

to have accompanied him on his flight.

women friends, one of whom is alle

One of President's Party. NewCastle, Colo., April 27.-Clubfoot, a grizzly that has been a terror to small farmers and ranchmen for a number of years, was killed last night by Fred Tollens a member of the pres-ident's party. It had been hoped by members of the party that Mr. Roosevelt would get a chance at this bear, but the animal was overtaken by the dogs and was playing havoc among them when Tollens came up. To save them when Tollens came up. To save the hounds he was compelled to kill the

The party started out early today, going up the West Divide creek Secy. Loeb started back and will arrive at Glenwood Springs during the afternoon

## Lick Eclipse Expedition

San Francisco, April 27 .- Arrangements are nearing completion at the Lick observatory for the three expeditions that Institution is shortly to send out to various parts of the world to observe the eclipse of Aug. 30 next. In addition to seven tons of apparatus from the Lick observatory the lenses and photographic apparatus of the Harvard astronimical observatory will be used.

One of the Lick parties is to go to Labrador, another to Egypt and an-

# **BIGELOW HAD** PECULIAR WAYS.

His Manner of Conducting Large Affairs Such as to Stagger Belief of Bankers.

## HAS CREDITORS EVERYWHERE.

Confesses Indebtedness to Nearly Three Million Dollars -- One Estate Looted.

Milwaukee, Wis., April 27 .- Frank G. Bigelow, the defaulting bank president. has confesed an indebtedness to banks. commercial institutions, and estates of which he had charge, which will aggregate between \$2,000,000 and \$3,000,000 and, based on his confession a voluntary petition in bankruptcy has been filed in the U. S. district court which contains the names of as many of Mr. Bigelow's creditors as he can remember, together with a list of assets on which Mr. Bigelow's valuation is \$1,-419,000

By his own admisison, his creditors extend all over the United States. One estate has been looted, his indebtedness to the Brodhead estate being \$100,-000. The debt is unsecured. It is also believed other trusts held by the former banker have suffered. Those familiar with the situation and with what information they can glean from the former banker, fear his liabilities will run up to considerably more than his present estimate, as they believe subsequent revelations will reveal transactions of even a more startling na-

Atty. Chas. P. Spooner, who filed the coluntary petition in bankruptcy in behalf of Mr. Bigelow, was compelled to make up the petition in such a short time that it is far from complete and will necessarily have to be amended. So will necessarily have to be amended So far as could be ascertained. Mr. Bigelow had no system of keeping a record of his financial transactions and the schedule of liabilities and assets had to be made up from a list made in pencil on half a sheet of note paper in Mr. Bigelow's handwriting. Mr. Bigelow was not positive of the names of some of his creditors, nor of the nature of some of the companies and had nothing at hand to refresh his memory, so ing at hand to refresh his memory, so the attorney was obliged to use his best judgment in figuring out what con-

HIS WONDERFUL METHODS. The revelations as to the system of Ir. Bigelow in conducting large affairs are such as to stagger the helief of bankers, to whom method in such transactions is as a second nature. The filing of the petition in bankruptcy wil necessitate the withdrawal of the se-curities which were turned over by Mr. Bigelow to the First National bank, as Bigelow to the First National bank, as being made within four months of the filing of the petition in bankruptcy. It constitutes an act of preference of creditors and the amount which was estimated at about \$300,000 will be equally divided among all the creditors of Mr. Bigelow. This will in no way affect the bank, however, as the guarantee of the directors and stockholders more than covers the defalcation. more than covers the defalcation,

## LIABILITIES.

The schedule of assets and liabilities of Mr. Bigelow as filed is as follows Creditors secured to some extent: First National bank of Mil-

waukee Wisconsin National bank of Second Ward Savings bank of 40,000 wattkee National City bank of New York National Bank of Commerce, New York First National bank of Chicago National Park bank of New

50,000

St. Louis ...... Unsecured creditors: Broadhead estate .....\$ 100,000 Mrs. (Kann) name doubtful , 9,000
Samuel Watkins , 24,000
Unknown person , 9,000 Caroline Watkins .

The estimated total of liabilities is about \$2,200,000, as Atty. Spooner stated that the petition is so incomplete and may be subject to so much amendment that exact amounts can. not be given at present.

The table of assets with the valua-tions placed upon them by Mr. Bige-low himself, to the best of his recol-

lection, is as follows: Sundry life insurance policies Shares in Idaho company

Shares preferred stock McKen-na Process company, Pitts-Smelting company ..... Shares in Chicago Highland association Lowery National bank, At-

lanta Shares in Fond du Luc bank ... Stock in Northwestern Iron pany, Ashland ..... Notes of sundry individuals Shares Grand Rapids Edison Camp Real Estate company

hares in Milywukee Iron Works company (?) 15,000 2,500 shares J. L. Gates Land company ..... 100,000 Included in the schedule is Mr. Bigew's home at Astor and Knapp streets, on which he places a valuation of \$40,-000, which, less the exemption allowed by law on a homestead, is valued at

 

 Carriages
 2,000

 Books
 10,000

 House
 40,000

 Excluding the face value of the life

Insurance policies, the estimated value of the assets, according to Mr. Bigslow's figure, is about \$1,419,000, but Atty. Charles P. Spooner, who filed the petition, said that undoubtedly these figures will be subject to considerable change as soon as the exact value of these assets is determined. He said that it was probable that there would be a considerable change in these totals, both of the liabilities and the assets. THE PETITION.

"The petition was formulated in such haste," said Mr. Spooner, "that the schedule and lists of assets, as well as some of the names of the companies, are inaccurate. It was compiled from the recollections of Mr. Bigelow, as he had no books or memoranda at his house, apparently, from which definite figures could be obtained. I cannot house, apparently, from which definite figures could be obtained. I cannot vouch for the accuracy of the schedule of liabilities, as it is possible that more will be found. However, I am convinced that Mr. Bigelow gave me the best information he had at hand, and that this was the best he could do in the short space of time at our disposal."

Among the assets listed in the schedule are some which were turned over to the First National bank, but which will now be distributed imnong all the cree.

the First National bank, but which will now be distributed among all the creditors according to the decision of the referee in bankruptcy. The action is in no way unfriendly to the First National bank but was taken merely because it was seen that, with all the other creditors of Mr. Bigelow which were unknown to the First National bank officials on Monday would undoubtedly have taken some step to prevent the preference of creditors. Consequently, when the announcement was made that Mr. Bigelow had turned over his most tangible assets to the bank the officials were in ignorance that he had other indebtedness of such a large amount.

debtedness of such a large amount.

The news of Mr. Bigslow's obligations to other banks in the United States and that trust funds of extates had been used firly took the breath away from some of the officials of the First National bank, who had hitherto been loth to believe the rumars that the formers to believe the rumors that the former president had been obtaining money from outside sources. Although they from outside sources. Although they were aware of the fact that the petition in bankruptcy was to be filed they did not know of the items which it contained.

The verification of the report that the Brodheud estate had been the loser to the extent of \$100.000, through Mr. Bigelow is contained in the petition in bankruptcy, as Mr. Bigelow confesses to have used this amount of the estate's funds. An investigation of the affairs of the estate will, be conducted to ascertain if any more of the funds have been used by Mr. Bigelow, John C. Brodhead of Kingston, N. Y., one of the beneficiaries in the estate, will arrive here Friday night to look after his interests.

Mr. Bigelow, in speaking of the Brodenic and the second contained The verification of the report that the

The Henry C. Payne estate is absointact, according to George P. It amounted to \$700,000, but neither executor of the estate coud

transact business without the sanction of the other. of the other.

The filing of the voluntary petition inbankruptcy was not decided upon until yesterday, when Attorney Spooner was hurriedly summoned to go to Mr. Bigelow's house to obtain the necessary facts to enable him to prepare the p tilion. The filing of the petition w desired by Mr. Bigelow himself, as had objections to being forced into in voluntary bankruptcy through the ac of some unfriendly creditor, although in either case would have been the same,

## ALL RUSSIAN SHIPS HAVE LEFT KAMRANH BAY

Kamranh, Bay, vla Saigon, Cochin China, April 27.-The only ships remaining in Kamranh bay are four German transports. All the rest of the transports and the Russian hospital ship Orel and other vessels left behind by Admiral Rojestvensky left the bay yesterday morning. This fleet is now assembled outside the bay and forms an extended line stratching from Cape Varela to the head of Kamranh penit sula. Torpedo boats are scouting in all directors. The ships seem to be awaiting Vice Admiral Nebogaton's

division.

The French cruiser Des Cartes having on board Admiral De Jonquieres, the French commander in these waters, leturned to Nhatrang, near Kamranh bay, after steaming around the Russian's squadym and subsequently resian's squadron and subsequently re-

turned to Saigon.

The two freight laden steamers captured by Admiral Rojestvensky were under the German flag. It is presumed that they are suspected of having contractions of the part of the state of traband of war on board.

## RUSSIAN FLEETS WILL PROBABLY UNITE MAY 5

St. Petersburg, April 27, 1:15 p. m .- According to the calculations of the naval staff Vice Admiral Nebogatoff, who left Jibutti, French Somaliland, March 25, 1 he has been making 200 knots per day should reach Singapore tomorrow and could not unite his division with Vice Admiral Rojestvensky in Tonquin hay until May 5 The general opinion is that their juncture is assured on the theory that Ad miral Togo would not dare to risk salling south to racet Nebogatoff since by so doing he would leave the way to Vladiyestok open to Rojestvensky.

There is a somewhat widespread in pression that the police are inciting the masses against the intellectual classes masses against the intellectual classes Gov.-Gen. Trepoff, when seen today by a representative of the Associated Press, declared that there was absolutely no occasion for a panic, "The tales of massacres and disorders and the organization of mobs to beat the intellectuals and plunder and twen the intellectuals and plunder and burn the city," he said, "are pure invention spread by agitators and other evil minded persons for the purpose of creating a panic. I will publish in the newspapers tomorrow a statement which will reassure the people and quiet their minds. There is no danger. Pub-lic security is not threatened. There 

# TRANQUILITY BEFORE REFORMS

With This End in View the Governor Generalship of Moscow Is Revived.

## CEN. KOZLOFF IS APPOINTED.

His Summons from Retirement Regarded as Preliminary to Inauguration of Harsh Measures.

St. Petersburg, April 27.-The post of governor-general of Moscow which was temporarily abolished Jan. 13 has been re-established by imperial decree and Gen. Kozloff, former chief of the Moscow police, has been apointed governorgeneral of that city. The administrative control of the police remains in the hands of Gen. Wolkoff, who was appointed prefect in January, but the police will be under the general supervision of the governor-general.

Kozloff's appointment as governor general of Moscow upon the eve of the anticipated troubles at Easter and on May day, although accompanied by a rescript in which Emperor Nicholas speaks of the "great interior reforms" contemplated by him leaves no doubt of his purpose first to restore tranquility with a firm band. Kozloff distinguished himself during the Nihilist conspiracies 25 years ago be hunting down guished himself during the Nihilist conspiracies 25 years ago by hunting down conspirators which resulted in an attempt upon his life. The public generally interprets his summons from retirement at the ago of 8s as being an indiction that the narsh measures of repression then sanctioned are to be revived. The government, however, takes the position that the execution of the reforms is impossible until the principal agitation and excitement are quieted. With Gen. Trepoff in St. Petersburg and Kozloff in Moscow it is considered that public safety in the two canitols is assured. The Liberals consider the appointment another reactionary step. A prominent Liberal said:

Brodhead of Kingston, N. Y., one of the beneficiaries in the estate, will arrive here Friday night to look after his interests.

Mr. Bigelow, in speaking of the Brodhead estate, before the filing of the petition in bankruptcy, admitted that he was indebted to the estate.

BIGELOW'S ADMISSION.

"It is true that the estate was valued at about \$1,000,600, fait all the personal property was divided some time ago," he said. "I am indebted to the estate, but nothing like the amounts that have been rumored. I owe the estate about \$100,000. As soon as Mr. Brodhead comes I shall try to arrange with him to pay back the amount. I will also resulter as trustee."

"We expected the proclamation of general amnesty for political prisoners as an Easter gift. Instead, the emperor gave us Kozloff," Kozloff's entire career has been spent in the police or gendarmeric, beginning as assistant chief of police at Riga in 1861 and later during the exciting Nihilistic days alternating as chief of police of Moscow and St. Petersburg. He succeeded the father of Trepoff here. When Vera Sassulitch was acquitted by a public court on the charge of attempting the life of th did not intend to kill him, but only to pillory Trepoff before the word for his harsh treatment of students. Rozloff's service as chief of police of St. Petersburg covered the period fol-

owing the assassination of Alexande lowing the assassination of Alexander II in 1881, after Alexander III had thrown over Gen, Lerish-Melikoff, the famous soldier and statesman, who was minister of the interior, and other liberal advisers of his father, and had surrendered to M. Pobedonostseff, the procurator general and the reactionary party. He retired after crushing the Nihilist conspiracies and the conclusion of the famous trials. He was the head of the famous trials. He was the head of the celebrated committee of public safety, composed of 25 persons, his name appearing on all orders, "Koz loff" means "Goat," and the publi sarcastically denominated his procla mations "Orders of Kozloff and his goats," Nevertheless, Kozloff succeed ed in what he set out to do, earnin the greatest praise from his imperio master, who heaped decorations upon him, conferring on Kozloff, among oth er orders the Alexander Nevsky order never previously given to a chief oppolice.

## Jockey O'Brien Dead.

Memphis, Tenn., April 27.—Thomas O'Brien, formerly a successful jockey, died at St. Joseph's hospital from apo-plexy, thought to have han brought en y a fall from his horse while racing i New Orleans two years ago. His ollar bone was broken and he received

## Kaiser Remembered All.

New York, April 27,-The Hamburg-American steamer Hamburg which arrived here late last night, came direct from Italy after landing Emperor Wil-

from Italy after landing Emperor Wil-liam and his party at Naples. Every officer and man on the ship has some momento of the cruise which was personally presented to him by the emperor. The keepsakes in-clude jewels, watches and trinkets, the whole value of which is estimated at

The officers of the steamer say that the emperor apparently enjoyed every moment of his trip. When the ship reached Tangler and a heavy sea prevented the royal party from landing a large quantity of correspondence for the emperor was brought on board. In it were several telegrans which referred to constant the company of the control of the c ferred to comment at the French capt-ial on his trip. As he read them the emperor remarked, "The whole world s in trouble when I travel."

#### BACK TO THE ISLANDS. Bodies of Filipinos Who Died in St. Louis to be Taken.

St. Louis, April 27.-The bodies of 12 Filipines who died during the exposi-tion were shipped to Manila today for niterment in their native land. Five bodies are buried in Calvary cemetery and one in the National cemetery and t has not yet been decided whether nese shall be exhumed and sent to

#### BRITISH STEAMER BURNED. Feared 150 Chinaman Lost Their Lives.

Shanghai. April 27.-The British steamer Yuen We has been totally destroyed by fire at Tungchal. It is feared that 150 Chinese lost their lives.

#### JOE JEFFERSON'S BODY. It Arrives in Boston from Florida.

Boston, April 27 .- The body of Joseph Jefferson arrived here from Florida | Grand Offertoire in D (St. Cecelia) today. The casket, enclosed in a large

## transportation box, was removed to the baggage room of the South Ter-minal station, pending arrangements to have it sent to Buzzard's bay on a special train. Members of the family and a number of friends came with the

State Tuberculosis Hospital.

Springfield, III. April 27.—The lills nots house of representatives today passed a bill establishing a state sant-tarium for the treetment of persons afflicted with tuberculosis and appropriating \$50,000 for the purpose.

## RUMORS OF OUTBREAK CAUSE CONSTERNATION

St. Petersburg, April 27.-A feeling pers of renewed rumors of an impend-ing popular outbreak. It is feared that he slightest event incidental to mal-evolence among the vast congregations which will attend the churches on Satwhich will attend the churches on Sat-urday night may cause a panic with appailing consequences. The mayor is being urged to convene the municipal council and take especial measures to cope with the situation, and it is ex-pected that the prefect of police will is, sue a re-assuring proclamation, but the larm is so great that it would have

The exodus at Easter will be unpre-cedented. All the accommodation at the neighboring resorts has already been engaged.

Reports from the provinces indicate similar forces.

similar fears.

#### Building Collapses.

Huntington, W. Va., April 27.—The brick building occupied by D. A. Moss-man & Co.'s feed and seed store collapsed after a gas explosion today. Several persons, including one woman, were reported buried beneath the rules

## WANT CENTER OF STAGE.

College Department Graduates Object To Merging Exercises With Normals.

The latest move in the policy of the University of Utah students, who are demanding a complete separation of the University department from the preparatory school and the Normal school, is to rebel at the conjoint graduation exercises which have heretofore been held in the Sult Lake Theater with the normal graduates. This year the college department graduates, with the college department graduates, with a B. A. or B. S. degree, will number about 25, while the normal students will number about 150. The college students argue that aside from the question of cheupened prestige attaching to the bestownl of a degree representing four years of advanced work, above the grade of that represented by the normal certificates, the combined graduation exercises will be overwhelmingly predominated by the normal school. This they say will prevent any display of college spirit, or carrying out their ceremonies in a befitting manner.

The matter was presented to Dr. Ringsbury, president of the University, a week ago by a committee consisting of Leonard Cahoon, a senior in the minommittee urged the president to grant them a separate graduation day on the ground that their number, being rela-tively so small, would be lost in the general ceremonies. The request was

The result is not being favorably dis-The result is not being favorably discussed among the graduating class and the result is that a petition is being prepared, according to a statement made to the "News" by Mr. Cahoon, which will be presented to the faculty as a whole, placing the position of the entire graduating body in a definite light. Mr. Cahoon asserts that it is no more appropriate to graduate the normal school and the University men and mal school and the University men and women together than it would be to include the training school children is the ceremonies with them. He say, that he feels sure that when the posi-tion of seniors is fully appreciated by tion of seniors is fully appreciated by

## SHIPMENTS OF TROUT FRY

Commissioner Sharp About to Complete Distribution for Spring Season.

On next Tuesday State Fish and Game emmissioner Sharp will make a shipment rout fry to Bear Lake, Rich county. On ciday. May 5, he will ship be 000 brook count to Weber county to be distributed mong the streams, and on May 9 he will ligh \$4.00 lareck treut to Ttah county f rietribution. These shipments will practically complete the distribution for the

## REMAKABLE FEAT.

Lady in High Heel Shoes Wrenches Cover from Coal Hole.

A wicked coal hole cover, a pair of French high heel shoes, and a blushing nuclden were the elements in a comedytragedy that occurred on Second South street just west of East Temple this morning. The trouble began when the maiden trod lightly over the metal coal hole cover, and fastened the heel of her French shoe tightly in a little space between the metal bars from which the glass was missing. It ended when an obliging man bearing the mame of C. E. Taylor, unlaced the lady's shoe, removed her foot from it, and then wrenched the heel free from the coal whence the her presented the article unincumbered to its owner, who replaced it on her foot and hurried away. The coal hole on the sidewalk in rent of No. 11 west Second South is front of No. 11 west Second South is provided with the usual circular metal cover, but the little pletes of heavy glass are missing from the metal net work. The spaces left are not large—not nearly large enough to admit an ordinarily sized shoe heel, but in the case of the French high style, it was different. In taking the next step the young lady, unaware that her heel had caught, lifted the whole plate with her foot, and planted it firmly three feet away on the sidewalk. She then tried valuity to werench her foot loose, and falling in this she accepted the services or the gentleman who finally succeeded in getting her free.

## FRIDAY'S ORGAN RECITAL.

The following program will be observed at tomorrow's organ recital in the Tabernacle, at 5:10 p. m:

# CHURCH DEMURS TO SENSATION SUIT

FIFTY-FIFTH YEAR.

Brief and Direct Statement Regarding Charges of Musser And Smurthwaite.

## FILED IN DISTRICT COURT TODAY

Church Improperly Made Defendant Because of Its Being a Voluntary Religious Association.

#### COMPLAINT IS NOT SUFFICIENT.

It is Also Ambignous, Unintelligible And Uncertain and Does Not Name Devisees as it Might Have Done.

A demurrer was today filed in the Third district court by Attys. F. S. Richards and Le Grand Young, counsel for the Church of Jesus Christ of Latter-day Saints, in the case of Don Carlos W. Musser and Churles Smurth-waite who recently filed a sensational suit against President Joseph F. Smith as trustee-in-trust. The document is almost novel in its brevity and direct-ness and contains nothing by way of an answer it being simply what it pur-ports to be—a demurrer. Its complete text follows:

In the district court of the Third judicial district of the State of Utah, county of Salt Lake.

DEMURRER.

Don Carlos W, Musser and Charles Smurthwaite, who sue on behalf of themselves and all other members of the Church of Jesus Christ of Lat-ter-day Saints, who may come into this case, plaintiffs,

The Church of Jesus Christ of Latter-day Saints and Joseph F. Smith, president thereof, and Trustee-in-Trust, defendants.

The defendants demur to the plain-tiffs' complaint, and for cause of de-murrer, allege; 1. That the Church of Jesus Christ of Latter-day Saints is improperly made defendant in said action, because the said Church is a voluntary relig-

ious association, and not a corporation legal entity.

That the said complaint does not state facts sufficient to constitute a cause of action against the defendants

That the eighth paragraph of the omplaint is ambiguous, unintelligible and uncertain, in that it does not name queathed or donated real or personal property to the said Church, and does not state the times when and the places where such devises, bequests or donations were given or made, nor the sev-

F. S. RICHARDS, LE GRAND YOUNG, Attorneys for Defendants,

## PHYSICAL EXERCISE.

Dr. E. G. Gowans Points Out Need for It in Modern Life.

In a lecture before the principals of the city schools yesterday afternoon, Dr. E. G. Gowans, medical director of the University of Utah gymnasium, declared that the danger of life today cams from the over development of the nervous system, without a corresponding physical growth. Quoting from statistics, Dr. Gowans developed the fact that while the percentage of death from infectious diseases decreased each year the death rate from nervous disorders is constantly growing. This condition he attributed to fall s condition he attributed to a fail-to develop the fundamental before his condition he attributed to the accessory portions of the body. Any exercise which permits of development of the larger muscles should precede that which takes the finer portions. The plane should be studied no earlier than the 12th year. The boy or girl who is so fascinated by finer work should be forced to seek the play-ground where a development of the fundamental powers may form a ba-sis for the strengthening of the acces-sory ones. The old adage, that a sound mind lies in a sound body" is testified to by the throngs of human-My, whose education does not lack the important phase of physical culture. Demonstrations have been made in the larger cities of the East, by which teachers have been able, by which teachers have been able, by elever adaptation to the needs of their individual students, to cure faults, ordinarily overlooked. The physical status of each child is understood, and by the harmonious development of the physical and mental powers, a fine poise and equilibrium are secured and maintained. The suggestion that supervision be exercised over this phase scholastic training was emphasized, while the present non-observance of the necessity of applying the salutary law of adaptation, until the high school and of adaptation, until the high school and college ages are reached, was clearly demonstrated. The line of thought sustained by Dr. Gowans is in harmony with a project of the superintendent. For some time past a committee of three principals has been gathering statistics and preparing regressions on "out-door regressions" on "out-door regressions". commendations on "out-door recreation;" these will be submitted before the beginning of the next school year, when further steps are likely to be raken.

Those familiar with the development of some of the plans of the superin-tendent claim to see in the present juvenile court an outgrowth of the agi-tation, which he commenced, over the "bad boy" question. Now it appears that the local school system hopes, at no far distant date, to incorporate a systematic course of physical culture

## OPENING OF THE FAIR.

Gov. Cutler Receives Invitation, Urging His Presence.

Gov. Cutier today received the formal invitation to the opening of the Lewis & Clark exposition at Portland on Thursday, June 1. The invitation is a very handsome affair, engraved on parchiment and tied with the colors of the exposition in appear and white exposition. the exposition, namely, red, white and blue with a narrow edge of orninge. The governor is not yet able to state whether or not he will attend the formal