

JURY DISMISSED.

JURY DISMISSED. The jurors were tired looking and dis-helved, and when the court remarked 'I thank you gentlemen, for your patience an devotion to the state and dismiss you to your homes and your personal avocations," the entire 12 sprang from their seats as one man and hurriedly left the courtroom. The defendants and their counsel remained to complete the bond preliminaries and incidents for a new trial. Various and insistent rumors that the bury had agreed were responsible for a crowded courtroom this morning, and for the presence of attorneys for both sides long before the usual hour for convening. As soon as Judge Hart entered court, and even before he re-moved his coat, he ordered the jury and the defendants brought into court. "I understand they have agreed," he "I understand they have agreed," he marked to the press table, "and am ending to see.'

almost a moment-9:25 to be exact-the 12 nich entered the room and rook the same seats they have occupied ROBBED AND THEN or nearly nine weeks, "Have you agreed a verdict. ntlemen?" said Judge Hart. We have," replied Foreman E. M. gratlemen Burke hoarsly. "Advance, Mr. Foreman, and read the verdict."



HELEN BERYL WHITNEY

Eloped With Harvard Footballist Now

Seeks Divorce,

San Francisco, March 20 .- Alleging

on-support, Mrs. Thomas H. Graydon,

non-support. Mrs. Thomas H. Graydon, who as Helen Beryl Whitney eloped from the Misses Riy school in New York six years ago with the Harvard foot-ball player, is seeking a divorce. Mrs. Graydon is the daughter of J. Parker Whitney, a California million-aire, and she met her husband while he was in Harvard and while she was in the castern boarding school. Falling to avercome parental opposition to their proposed marriage the couple eloped. Mrs. Graydon arrived here from her home in Cincipnati last week and she is now staying with her parents. she is now staying with her parents.

this plan, and issued an ultimatum to the effect that if the majority did not yield from such stand, he would adjourn the session sine die. After stat-ing his position, President Gardner left the cancus room and did not again ener it.

Once or twice the caucus dissolved, only to again be called together. Senator Williams, as chairman of the ap-propriations committee, held back S. B. 202, the appropriations bill, intending it

raise H. B. 240, the liquor

Had So Much About "Rail Spiltter" in it Was Mercilessly Blue Penciled by Editor Angell.

HAY WAS ONE OF HIS PUPILS.

Dr. Angell Admits That When He First Saw the Great Emancipator Was Not Favorably Impressed.

Ann Arbor, Mich., March 20.—An in-teresting anecdote linking the lives of President James B. Angell of the Uni-versity of Michigan, the late John Hay Ann Arbor, Mich., March 20 .- An in-

Mr. Hay, however, was so impressed ith the contrast between Lincoln's

aind and mannerism that even he en

nent which might untangle the probm which has confronted the legis-

Menominee, Mich., March 20.-Fred Stephenson, who is at present in Mex-ico, has accepted an invitation from former President Roosevelt to join the African hunting expedition. Mr. Stenuch mooted measure, the Badger quor bill, the house had need only for final session lasting an hour. That neasure was senate bill 187, validating henson will go direct from Vera Cruz rs of Salt Lake county, and there was to Mornham

SUES FOR BROTHER'S DEATH.

afluential men in the house. But the

Rosewell, N. M., March 20.—Frank Shirley, as administrator of the estate of his brother, Ollie S. Shirley, today brought suit in the district court against W. T. Wells, capitalist, and extensive property owner, asking judgment in a claim for \$1.760 for Wells Allweed act in shooting and killing his brother March 9. Wells and Shirley in a dispute over labor troubles and he is under \$12,50 bond awaiting the action of the grand jury. It is reported that the American Federation of Labor will have one of the foremost lawyers of the United Statics here to assist in the criminal prosecu-tion of Wells. item of all absorbing interest was the Badger bill, and the question was, should the house pass the measure, in view of the fact that any liquor legis-lation at the hands of the senate might

scornful snille played upon his features at the mention of Mrs. Ward's name and when his motion was dended. Hr was bandcuffed and taken back to th state prison



GARDNER'S ULTIMATUM. President Gardner was opposed to

The stand was taken by these that they would not take up the appropria-tion bill nor confirm the governor's ap-polationents until the liquor bill should be considered.

room, which, if not locked, was opened only for ingress or egress. It is understood that the two fac-tions on the liquor question stood firm-ly on their grounds, each re-fusing to yield. The senators who demanded that fiquir legis-lation be enacted before adjournment were in the majority, but could not command the necessary two-thirds to control.

Unlea, N. Y., March 20.-Vice Presi-dent Sherman is at his home in this city today and is in his usual health.

STEPHENSON ACCEPTS

BOOSEVELT'S INVITATION

THE VERDICT.

THE VERDICT. "We, the jury, find the defendants, Duncan B. Cooper and Robin J. Cooper, guilty of murder in the second degree and assess their punishment at con-finement in the state penitentiary for a period of 20 years." "So say you all, gentlemen." "So say you all, gentlemen." "So say we all." in chorus. Then, after the court had dismissed the jury. Judge Anderson of the de-fense was on his feet, exclaiming: "WORTH WORD MISTRIFY.

MOVED FOR MISTRIAL.

"Your honor, we move the case be declared a mistrial, because of the ver-dict yesterday. We contend that yes-terday's verdict was the only one and that it acquitted John Sharp, but de-lared a disagreement on the other de-tendants. We also ask that the do-tendants be admitted to bond."

"The verdict of the jury makes it a bailable case," was the court's refort. "Hence I will fix the bond of each deobjection, in that event I will hear arguments"

is satisfactory to us," said Atty.-Gen Mcs arn. "And to us," retorted Judge Ander-

There seems to be nothing left but for the court to pass sentence," added Judge Hart. "I don't think that necessary," said

Judge Anderson. "We move that judg-ment be suspended and that we be given a new trial. We will be prepared to argue the motion later-probably next week."

"All right, judge," remarked the court. "I know you will not delay un-necessarily and I will take it up at your nwn convenience

Bring in the bond book," said Judge

It was done and the defendants sign If the bond and returned with their relatives and friends to the room they have occupied in the juit building. Mrs. Hurch, who stood bravely and even suited in the courtroom, collapsed as she reached the marrow corridor lead Ing to the jail and had to be supported by her hurband. Mrs. Wilson's eyes were streaming with tears. Both young women have counted confidently on an requital, although even their coursed advised against building too many hones on the result. The unors were not included to the result. hones on the result. The jurors were not inclined to talk, but one of them

HOW JURY STOOD.

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HOW JURY STOOD. "On the first ballat we acquilted John Sharp and disregarded the con-spiracy theory. On this same ballat is stood siz for quilty of murder in the first degree with mitigating cir-mentanees. Re for murder in the record degree with 20 years, the max-mum henalty, and one for sequilal the ballots all day Wednesday and Toursday showed the same result. Yesterday the man who voted for ac-quiltal want over to murder in the second degree, but demanded that only to yours be assessed. The rest of us did not deem to years as anything like adventile, so we disagreed again. Of course, the all referred to the Coopers bot to Sharp, when we had acquitted, "Early this morning, the max who was holding on for 10 years agains

THROWN FROM TRAIN

Pittsburg, March 26.-A young man who last evening was beaten, robbed and thrown from an east-bound Penn-sylvania train at Wilkinsburg, recov-ered partial consciousness today and said he was J. D. Ryan, 25 years old, a graduate of Yale, and resided in Chicago. His condition is critical and it is probable he will be paralyzed for life. Two operations were nerformed today. After the first Ryan revived somewhat and said he had been fol-lowed by two men. "In passing to another are," he said. "I met the men on the platform. They grabbed me by the throat and de-manded my money. They took my lew-elry and meney and then pushed me Pittsburg, March 26.-A young man

elry and money and then pushed me from the train."

After the operation he again tapsed to unconsciousness. into uncon

BILL PROVIDING FOR EX-PRESIDENTS

Washington, March 50.-Onen a presi-dent always a government employs if either of two bills becomes a law. One offered by Representative Couldrey. Mo, makes ex-presidents honorary members of the United States senate for life, and as such gives them a salary of \$55,00. The other introduced by Representative Bennett, New York, povides that ex-presidents of the United States should have a seat in the house of representa-tives with the privileges of debating but not vetting.

not voting. Under this hill they would receive the same salary as members. boy is unknown,

HIGH PRICES FOR PAINTINGS.

New York, March 2.-Twenty-three paintings, most of them by members of the Earbizon school, brought Silvão at the Garland sale here last night. The rop price, \$15,000, went for a Corot. Ta Patre Evening on the Lake." sold to T. J. Coolidge, Jr., of Hoston, Emerson Marchillen paid \$14,000 for Dualigney's "Morning on the Marne."

TEL. CO. WILL APPEAL.

TEL. CO. WILL APPEAL. Salem, Or., March 2.-The Facilie Tel-ephone & Telegraph company has served notice on Atty-Gen. Crawford that it will appeal from the decision of the supreme court of the United States in the supreme court of the United States in the action brought by the state of Oregon to collect money under the gross tax law. The com-inary will base like appeal on the conten-tion that the initiative and referendum law and primary aysiem under which the gross earnings tax was enacted is in contravention of the United States. The state supreme court unheld the taw.

WILLIE WHITLA'S

FATHER BREAKS DOWN

Sharon, Pa., March 20.—Bobbing and crying, James P. Whitla, the father of the kidrapped boy, broke down today when no word had been received from the abductors, and in a statement to the Associated Press said he wanted to impress on every person interested in the recovery of the boy, that all he wanted was to see his child safe back home. He said he was ready to pay the \$10 000 ranson at any time and had authorized agoints to pay over the authorized againts to pay over the

Mr. Buhl, the boy's unels, remained in Cleveland today to be ready to open In Cleveland tonay its kidnapers. activities with the kidnapers. Although every clew is being run Although every clew is being run

to a position where it would reconsideration

Finally at 11:20, just two hours and 20 minutes after the time set for busi-ness, the members came into the senate of Michigan alumni.

angell was

with

ness, the members came into the senate chamber and the assembly was called to order. It was learned that a com-promise had been effected, whereby the majority agreed to consideration of the appropriations bill and to pass upon the governor's appointments, and the other side yielded the point of taking up other bills, including the liquor measure, and promised not to try to force an adjournment until the calen-dars of both houses were clear, to the satisfaction of all. Two votes, those of Benner X. Smith

and President Gardner, were cast ogainst the appropriations bill, the af-firmative being 14, with Senators Miller

and Hulaniski absent. Then the senate went into executive session to consider the governor's up-pointments, from which they did not emorge until after 1 o'clock.

FOUNDLING IS ADOPTED.

Lewis A. Merrill and his wife Effie Ensign Merrill adopted a foundling male infant today upon the showing before Judge Lewis that they were able to take care of the child pro-perly. The child is five and half months old and the perentage of the

WEEKLY HEALTH REPORT.

Thirty-one births were reported to the city board of health for the week ending Friday, March 19. Sixteen were males and 15 were females. In

were males and 15 were females. In the same period 29 deaths were re-ported, 14 males and 15 females. Seven bodies were shipped here for burial. There were 49 cases of contagious diseases reported to the board for the same week. There were nine cases of smallpox, six cases of diphtheria, 20 cases of scariet fever, two cases of measles, six cases of Mhoopingcough, one case of phenomia, and four cases at chickenpox. There are 31 houses of chickenpox. There are 31 houses for scarlet fever, and seven houses for scarlet fever, and seven houses on account of similipox, 48 houses for scarlet fever, and seven houses on account of diphtheria. There are nine cases of smallpox in the iso-istion haspital.

GANGWAY COLLAPSES **TEN PERSONS DROWNED**

Barrow in Furness, England, March 20 \rightarrow A gaugeway connecting the battle-ship Vanguard with the whart at the Villars Son Yard, collapsed today, Fit-ty were thrown to the docks. Two were killed and 40 injured.

Lincein, Neb., March 20.-Mrs. Lona Margaret Lillie today won her sult against the Madera Woodmen when a jury awarded her 14,283.72 She sued for Esso, the amount of the policy held by

to 20 years and the six who were | searchers the slightest ray of hope. | and she said the insurance company.

and President Lincoln is published in CONSIDERATION SECURED. the current number of the Michigan

Finally, at 11:45 a. m., Speaker Rob-Alumnus, the organ of the University son called the house to order, and e report of the house slifting com-ities reporting favorably with mendments senate bill No. 148. by diger, for the regulation of the liquor When Dr. Angell was editor of the

rovidence (R. I.) Journal his first glimpse of Lincoln was on the occasion of the repetition at Providence by Lin-coln of his famous Cooper Institutraffi Mr. Thompson moved as a substitute to the regular order of the house, adopting the committee report, that the house recal from the senate, the Hao-sen bill. The motion was seconded by Representative Fuller, but was prompt-ic voted down speech. Up to this time, says the Alum-nus, Dr. Angell confesses that he was it one with the unfavorable impression which seems to have prevailed through-out the cast, owing to the awkwardness voted down. Lincoln's personal appearance. Dr

The reading of the bill had proceed-d to considerable length when Mr. Wooton made the same motion, as had offered by Mr. Thompson, when angell was, however, so deeply im-reased with the speech he heard that we became an ardent advocate of Lin-To bring the candidate before the public in the most favorable light and to overcome the first impression which Lincoln's appearance was so apt to make in the critical east, Dr. Angell considered his sume friend Loke Mar.

passed Docket Clerk Woolley proceeded again ith the reading of the bill when Re-resentative Morris at 12:30, moved

ation for the greater part of the pres-

alendar, with the exception of the

certain acts by the county commission-

ittle doubt that the bill would pass.

ilthough opposed by some of the most

at session-the liquor question. With only one bill remaining on the

r a "sainter." Representative Wooton arose to a remained in the bouse at this time by because he fell a great obligation do so, and felt that to "sainter" midday meant the end of the sesmake in the critical east, Dr. Angell employed his young friend John Hay, who was one of his former students, and a student of law in Lancoln's office at that time, to write for the Journal a series of articles which should empha-size the sterling qualities of the man rather than his-tame as a rail splitter. Mr. Hay, however, was an impressed

The motion to "saunter" was put and yearwhelmingly defeated. The read-ing of the bill was then continued. RESPONSIBILITY PLACED.

RESPONSIBILITY PLACED, If the Badger bill passes the house, with the amendments offered by the sifting committee of that body, it means that the bill will go back to the senate, which passed the bill sev-eral days ago, for concurrence in the amendments. It is conceeded that the senate sifting committee, to which the measure will be referred, on reaching that body, will refuse to recourt the bill back to the senate, and the res-ponsibility for failure of the present egistature to pass any prohibiting fe-gistation, will be definitely placed with the senate. That body killed the only measure that provided for state wild prohibition, namely the Cannon bill, which was passed almost unanimously by the house; today the sonate com-mittee refused to report R. B. 240, the Hansen bill, up to the floor of the senate for action, and its smother-ing tactics, it is anticipated will be again brought into play when the amended Badger bill is sent up with the stamp of approval of the house. mind and mainterism that even be en-biasized too strongly the "rail splitter" in Lincoln and the articles were merci-ically blue penciled by Editor Angeli. These articles as they appeared in the Providence Journal says the Alum-nus, may be taken undoubtedly as giv-bards with the says and the says the says and the says and the says and the says and the says the says and the says the says and the says a ing John Hay's early impressions of the man whose secretary and biogra-phor he was later to become. As the articles were not signed, their historical interest has never been brought out. POWERS ADVICE TO DISARM St. Petersburg, March 20.-The Bei-grade correspondent of the Bourse Ga-zette says in a dispatch that M. Mio-vanovics, the foreign minister toil him today that Servia had accepted the advice of the powers to distant. Servia considers the action of the powers to be a guarantee and she no longer has reason to fear armed athe stamp of approval of the house

GOV. HADLEY MAY RESIGN TO BECOME U. S. JUDGE

Jeffermon filly. Mo March 10.-A ronewal of the report that Herbert S. Hadley, governor of Missouri, is to resign in order to accept a federal judgeship was current here today. It is said that President Taft has prom-ised Senator William Warner that toy. Hadley will be given the federal buch in the west of northwest. "How Hadley's resignation would make Jacob F. Gmelich, how lieuten-ant governor, chief accounts of the state. He is a Republican. "Indiey is the First Republican governor to be alext

ASST. ATTY. GENERAL.

Washington, March 20-The position of maintant attorney general of the depart 6000000000000000000000000 and accepted by Oscar Lawler of Los | reaved fomily

and

DESPERATE EFFORT TO SAVE AUTOMOBILISTS

San Bernardino, Cal., March 20.—In a desperate effort to save a party of automobilists at the foot of a strep grade in the Wildrose canyon, down which he was being dragged by his runaway team, C. B. Corbin, swung the bruck over the bruck of the emrunaway team, C. B. Corbin, swung the harses over the brink of the em-bankment and down the precipitous mountain side, killing Ellis Epperton, a swamper and three of the animals.

orbin escaped without injury.

MODJESKA NOT IMPROVING.

Los Angeles, Cal., March 20 -- Madame Helena Modeska, the world-famous actress, who lies critically ill at her Bay Island home near Newport, passed a contortable day yesterday and al-though she showed no improvement she held her own in her fight for lifs. There are no hopes entertained, how-weer, for her recovery.

for her recovery, J. P. Boydy, ad Dr. J. P. Boydy, who is attending Madame Modjeska, states there has been no change in the condition of his patient for the past 34 hours though death may come at any time.



Accost Victor Cram and Trouble Begins.

A fight was narrow averted in the corfor of the city and county building just moment after the house sountered at o'clock, Archibald of Summit and Meof Salt Lake and Victor D. Cram or the principals. Cram is an as distant to A. S. Reiser, publisher of the mily Bulletin. Archibald accounted Cram the halls just outside of the doors of representatives' ball and called him aid the Daily Bulletin Bars. Represenaying his respects to the staff and pub in. The scatte became intense and

were being exchanged in prepara-for vigorous assault when moders, and by a newwarperman, who has an the detail wild the house dur-the sension, interfered and prevented

fuglit-true crowd was present during the d moments and interest was keved high pitch. A mixup was imminent spectators interfered.

DEATH OF MRS. WALKER

The matirer of Fireman S. D. Walker or station No. 3, residing at 29 west Fifth North sizest, also this marning after a servers illness. Mr. Wallter loft with the body Loday for Drapht where the funeral will be held tomorrow. The frommer sent a benutiful florid offering as a token of their sympathy for the be-marked foundly. MAKE THEIR ESCAPE

Break Away from the Chain Gaug While Photographer for Deservet-News Goes Into Action.

Yesterday afternoon, just heroge Us chain gang which is working on the road between the Warns Springs and Beck's Hot springs, were loaded on to the wagons for the return trip to jult the the wagons for the return trip to jail the Descret Nexus photographet, account panied by Chief of Police Earlaw visited the gang and a couple of pic-tures were take of the prisoners T-men are filling a big out in to condway and Chief Earlaw had prisoners lined up so that a gas picture of them and the work the picture of them and the work it are doing could be taken. Just as camera snapped on the first pic three of the prisoners sneaked the hill and "best it" for all i were worth. One of the escaped was Earnest Hill and the other were mericans names unknown. vere Mexicans, names unknown, all of them made good their oss The men were not missed un carpenter working on a house near rushed to the guards and told they that he had seen three men anea over the top of the out and run for the bills A search was of ence strated if hills. A search was at once started, in which Chief Barlow partleipated, but the men could not be found. Chief Barlow says he enres not just so the will stay away from the city. There were thirty-seven men on the gaug and thirty algorithmen out this conand thirty eight west out this m

NEW SINGER IN BRINES HOME.

A new large tentr came to Salt Lake estuday afternoon, M. J. Brines, J. preserving afternoom. M. J. Birlnes, Jr. He can easily reach up to the third (J above the treble staff, and his raddep-planmentos are said to be something in-mentos. The young singer is also strong on the ravylyando, while his rivolal-mentos, his sforables and trombs crom-aticas are the admiration of the entre-neighborhood. The fond marents after rou-fident that the young artist will broaden out into an allarguado in the course of 10 days. Congratulations in both con-cert and international pitch are being showered upon the happy couple. Mr. Brines is composing trios for tenor in alt. soprano and tenor in the hower reg-later, in examinementation of the austtter, in commemoration of the lower reg-cious natal event.

MRS. HARRIMAN A VISITOR.

Brief Stop is Made in This City by Scleet Party.

Mys. E. H. Harriman, with daughter Mrs. E. II Harriman, with daughtor Caroline, and a friend, Misa Moran, arrived on a special irain this boon, as the first section of the casthound Los Angeles limited. After a short rest here, a shorial over the Short Ling carried the party to Ogdon whither they were accompanied by D. S. Spen-ser. A special was made up there that is now carrying the noted touristic towards. New York over the Union Pacific read. Supt. Park of the U. P. Is accompanying Mrs. Harriman to Present, where the solid the Ms. grasha division will reflexe him. Mrs. Barginan travols in an elegant a prisfarriman travols in an elegant a pri-ate car as can be furnished. She has been with her husband on his errs tour, and San Antonio ca ipsut and is now returning home



SERVIA ACCEPTS

tack from any source

You can reach the Conference visitors through the Semi-Weekly News, issued - Mondays and

and interest. after a semational trial of of murdering her hus

TEN PERSONS KILLED

GANGWAY COLLAPSES;

this city. They are readers of the most widely read paper in a the intermountain west.