### 10 PAGES-LAST EDITION

WEDNESDAY MARCH 6 1907 SALT LAKE CITY UTAH

FIFTY-SIXTH YEAR

## THAW'S MOTHER GIVES EVIDENCE

She Breaks Down and Cries as Harriman is Believed to Have She Tells Story of Changes in Son After Trip to Europe.

N. Y. MAN RUINED HIS LIFE.

Dr. Wagner Said Didn't Believe Thaw's Mind Clear When He Was Married.

When He Shot Stanford White Had No Idea That He Was Committing a Crime.

Wew York, March 6 .- Mrs. Wm. Thaw was the first witness called after the luncheon recess.

Mrs. Thaw said she noticed a change in her son when he came to Pittsburg in 1903. He was absent minded and apparently had lost interest in life. Mrs, Thaw broke down and cried while narrating the change in her son

following his trip to Europe with Evelyn in 1901. In explaining his changed condition to her, Mrs. William Thaw said Harry told her "the wicked and the man in

New York had ruined his life." Mrs. Thaw, after recovering from her first breakdown, seemed about to weep again and could not proceed. Justice Fitzgerald relieved the situation by ordering her testimony up to that time read to the jury. It had been given in a voice too low for the jury

In arguing on an objection by Dist, Atty. Jerome Mr. Delmas said he would hwoke the rule of the law that Thaw, being insane in 1903, continued insane bn 1904.

"If that assumption is sound," said the district attorney, "there is no reason to believe this defendant is not insane today and it becomes the duty of the court to suspend the trial."

Jerome said he was not suggesting the appointment of a commission in innacy at this time, but was advancing the point as an argument on the question as to whether Mrs. Thaw should be allowed to repeat all conversations

Justice Fitzgerald overruled Mr. Jerome's objection to Mrs. Thaw, telling conversations with her son in 1904. Mrs. Thaw said she laid down one condition as to the marriage-that

Evelyn's past life should be as a closed book-never to be referred to. "Battling" Nelson, the nugllist today

was the center of attraction in the was the center of attraction in the court where Harry K. Thaw is on trial for his life. The purilist occupied the entire attention of the spectators up to the time the defendant was called to the bar. Nelson was accompanied by his manager, Wm. Nolan, and they occupied seats just behind the prisoner.

In anticipation of a continuance of expert testimony there were many empty seats in the court room today. Thaw again came to court laden with letters which continue to come to him from all quarters of the globe. Most of the letters are in praise of the defendant and he manifestly takes creat satisfaction in reading them. creat satisfaction in reading them.

DR. WAGNER CALLED.

Dr. Wagner, who has been under cross examination since Monday afternoon, was again called to the stand and Dist. Atty. Jerome began to ply him with questions regarding Thaw's will and codicil.

Dr. Wagner said be believed that

when Thaw wrote the section of the will providing for a fund for the prose-rution of any one who might take his life his mind was clouded and he did ot have as clear an idea of such matters as a man who was wholly same, but enough to be able to appreciate that the taking of a human life was a crime. Doctor, when this defendant stood up to be married upon the same day that will was signed, did he know what he was doing." asked Jerome.

WHEN THAW WAS MARRIED. "I don't think his mind was entirely

clear." "Was it clear enough for him to un-terstand that he was getting married?"

"Yes, he understood it."
After questioning Dr. Wagner regarding the letter written by Thaw in 1903 of Atty. Longfellow, Mr. Jerome sud-

"Was there any period between 1903 and 1966 when this defendant was in full possession of his faculties?"

Dr. Wagner hesitated a moment and

several months in that "There are several months in that period of which I have no record. It is possible that there may have been

is possible that there may have been recovery during that time."

Mr. Jerome took up a number of works by various authors on psychatry and asked Dr. Wagner's opinion of the works and the writers. For half an lour this line of questioning was kept ap, Dr. Wagner admitting that most of the authors poted were learned men. ap, Dr. Wagner admitting that most of the authors noted were learned men.
Following this Jerome returned to Fhaw's letter. In explaining that a man might be insane and still have a working knowledge of many matters, Dr. Wagner said that in the institution of which he is superintendent he as a patient, who, although the most insane man he has ever seen, is a good thoemaker. One of this man's delusions, which affected him three or four times a day, is that people who are hundreds if miles away, are eating something that causes him nausea.

After finishing with his questions assed on Thaw's letters, Mr. Jerome taked Dr. Wagner:
"Do you know a disease known as circular insanity"
"Yes."

"Is reasoning in a circle a sign of reular insenity?"

'I don't know what you mean by asoning in a circle."
The kind of reasoning you have been

loing."
Mr. Delmas objected and asked that
the remarks becatricken out, accusing
he district attorney of making an interence that the witness was a victim of circular insanity.

Mr. Jerome settled the matter by withdrawing the remark.

## STRANGE THINGS ARE HAPPENING

Joined New Jersey Central's Stockholders.

READING MENTIONED ALSO.

Officials of Both Companies Cannot Verify Transfer of Holdings to Mighty Railroad Magnate.

New York, March 6 .- An unverified rumor that heavy holdings of Reading and New Jersey Central stock has passed under Harriman control, which gained wide circulation today, resulted in a sharp upward turn in Reading this afternoon. According to the report, the big block of stock which changed hands represented the H. C. Frick interest in these two companies. The story could not be verified, but despite this the quotations of Reading were marked steadily upward as the rumor spread, reaching 125 at 1:30 o'clock, a clear gain of 11 points from the low point of the day. Other stocks which had been moving feverishly during the day, began to follow Reading toward the top. In the next 15 minutes Reading decime! to 122. in a sharp upward turn in Beading this afternoon. According to the report, the to 122.

Philadelphia, March 6.—At the office of the Philadelphia and Reading in this city, it was stated that the officials had heard of the rumor but knew nothing about the passing of the company to Harriman control. A high official said the transfer books do not show such a change in ownership.

#### TAFT MUST FACE THE COCKFIGHTING PROBLEM.

Washington March 6.—One of the questions that probably will confront Secy. Taft upon his arrival in Cuba in the course of a few weeks will be the prepriety and policy of abrogating Gov. Gen. Wood's decree forhidding cockfighting in Cuba. An overwhelming majority of the Cubans themselves demand the right to fight their chickens as they have done for many years.

It was the arrest of a number of prominent Cubans, including at least one presidential candidate, for attending a cockfight, that brought on the crisis and caused Gov. Magoon to promise that he would consider the petitions that were presented urging the abrogation of the decree.

When the sport flourished, the Cuban laborer worked four days a week to support his family. Another day's ware he set apart for the lottery and the last of the secular days he worked in order that he might secure funds to back his favorite cock in the pit. Now that the lottery and cockfighting have been stopped, the laborers and farm hands simply stop work for the last two days of the week, having no incentive to continue. This practice is said to have had a really injurious effect on the development of the Island industries and to have considerably curtailed production.

Probably Secy. Taft will adopt the expedient of permitting cockfighting outside of Havana and the larger Cuban cities, just as he did in the Philippines to the satisfaction of the natives and their employers.

the separate acts of the defendant that the separate acts of the defendant that night indicated insanity.

"They indicate to me that the defendant was insane. He may have had automatic knowledge as to firing the pistol, and he may have had sufficient intelligence to know he was causing annoyance by blocking the way to the elevator after the tragedy, but these facts do not show he was sane."

"Would your opinion as to the defendant's condition he indicates the indicates."

fendant's condition be influenced if you knew that he had taken a large amount of liquor that afternoon?"
"I would want to know haw much he

had taken."

"Men who have been insane are still susceptible to liquor during lucid intervals, are they not? There is nothing in the disease which would make them immune to the effect of liquor, is there?"

"Nothing that I know of."

"Is there anything in the hypothetical question that enables you to tell whether the defendant was insane or drunk?"

"There is nothing whatever in the had taken.

"There is nothing whatever in the question to indicate intoxication, much

question to indicate intoxication, much less to indicate insanity."

Dr. Wagner explained that the palid face, slow and measured tread, the staring eyes and deliberation of the defendant at the time of the tragedy were not indications of alcoholism.

Mr. Jerome then took up each of the facts as given in the hypothetical question and asked the witness if each one might not have been the act of insanity. Dr. Wagner said there was no act that might not have been performed by a sane man.

a sane man.

"A sane man can do anything he
likes," said the witness, "provided he
has the capacity. An insane man is
often impelled to do things which he

"You mean an irresistible impulse?"
"Yes." "That is all."
Dr. Wagner started to explain but

Dr. Wagner started to explain out-was stopped by Mr. Jerome, repeating "that is all, doctor."

Mr. Jerome sat down, but in a mo-ment was on his feet, saying he had a few more questions to ask.

THE PREUSSER CASE. "You testified for the prosecution in the Preusser case, did you not?"

"Yes."
"And the defense was insanity?" "And in your opinion Preusser wa mane when he shot McDonald?"

"He had been drinking heavily?" "You testified Preusser was sane, you

"Yes." "And he was declared insane?"
"Yes, and sent to Matteawan, but he was afterward released as sane."

Mr. Jerome interrupted:

Mr. Jerome interrupted:
"Are you stating facts now or what
you read in the newspapers?"
Dr. Wagner admitted he read of
Preusser's release in the newspapers.
"That is all," said Mr. Jerome.
Mr. Delmas asked but one question
upon re-direct cross-examination.
"Dector, after finis long cross-exam-

ination, do you desire in any way to change your statement that in your opinion this defendant when he shot Stanford White did not know that his ct was wrong?"
"Not in any way," kinswered Dr.

Wagner. "That is all," said Mr. Delmas. "What do you mean by wrong?" asked Mr. Jerome on re-cross-examin-

"I mean that his mental condition was such that he did not realize he was committing a crime or that he was liable to punishment for what he was do-

of circular insanity.

Mr. Jerome settled the matter by cithdrawing the remark.

NIGHT OF THE KILLING.

Mr. Jerome next took up the events pon the Madison Square Reef Garden he night Thaw shot and killed Standard White. He asked the witness if

## HARRIMAN'S VISIT TO WASHINGTON

Wants to See What Prospect is For Drastic Anti-Railroad Campaign Next Congress.

SEEMINGLY IS NOT ALARMED.

Prejudiced Public Sentiment Has Been Created by Both Parties for Political Purposes.

Chicago, March 6 .- A special to the Chronicle from Washington says: E. H. Harriman is here to see himself what the outlook is for a drastic

anti-railroad campaign in the next session of Congress. Since Mr. Harriman has been here he has met practically every one of the leaders of the senate iside from calling on President Roose velt and on the interstate commerce

velt and on the interstate commerce commission.

Questioned whether he did not believe the commission would seek for more power over railroads, he said:

"I should judge from the hearing at New York—or rather, inquisition—that it is the purpose to impose further restrictions on the railroads of some kind or other. Apparetaly ac attempt very made at New York to bring out anything except what might be used as a basis for asking increased power on the part of the interstate commerce commission.

part of the interstate commerce commission.

"But these things will come out all right. Everything that the commission gave a twist to, will straighten itself out in the swing. The people will come to understand the situation. There was nothing done that has not benefitted the people. I am not considering Wall street when I say this. I am merely considering the general public that uses the various lines and the figures show that what I say is true. Everything that was touched on at the New York inquisition showed this.

"A prejudiced public sentiment has been created for political purposes, It is created by one party as well as the other. There is a lot of buncombe in this whole business. One party will appeal for an act to increase shippers to control and stop the development of railreads. The other side will then appeal for an act to take over the rail-

peal for an act to take over the roads under government ownership,

#### S. P. TRACK SUBMERGED.

Los Angeles, Cal., March 6.—Advices at the Southern Pacific's general offices here from the vicinity of Salton sea state that yesterday's storm produced high waves on the inland sea, causing a portion of the railroad company's tracks to be submerged and entailing some damage. The trains were delayed yesterday on that account but they were moving both ways again today on regular schedule and the damage to the tracks has been repaired. The storm has entirely subsided and the sea is again quiet.

#### OFFICERS ARE UNABLE TO LOCATE ABE RUEF.

OFFICERS ARE UNABLE

TO LOCATE ABE RUEF.

San Francisco, March 6.—When Judge Dunne convened court at 16 o'clock this morning abe Ruef was not present and Sheriff O'Neil reported that since the adjournment he had been unable to find him. Asst. Dist. Atty. Keney thereupon asked to have forfeited the bond deposited by Ruef last Monday before Judge Hebbard, but before a ruling was had on this motion, Judge Dunne began an inquiry to determine a reason for the sheriff's failure to find the defendant. Charles Heggarty, Ruef's office boy, was called to the stand and questioned by Heney as to the time he had seen Ruef last. He declared that he had not seen him since the adjournment of the proceedings before Judge Hebbard Monday afternoon; that Ruef had told him to go to the office and wait for him there; that he had remained until 6 o'clock and Ruef did not come, and he had gone back at 8 but did not see Ruef. He was asked why he had made flying trips about the city in Ruef's nutomobile, and replied that he was at liberty to use the automobile at any time and that he had not seen Ruef on any of these trips. He was asked if he saw Ruef on any of his visits to the office of Atty. Shortridge last night and declared that le had not.

Heney suggested an adjournment multifice in order to permit him to bring before the court witnesses who may know something of Ruef's present whereabouts. The court granted the motion and Detective Burns sent his agents out to subpoens. During the recess Heney stated that if it were found that the sheriff had done his best to find Ruef he would ask for the appointment of an elisor and would leave it to the discretion of the court to nominate Detective Burns or someone else.

As a result of the charge of intoxication made by Asst. Dist. Atty. Heney against Superior Judge Hebbard now is at the Clara Barton hospital, under the care of a physician and a trained nurse.

When court reconvened Atty. Heney called Sheriff O'Neil declared that he had exerted every effort to lacate the fugitive but had bee

#### TOURIST FLOURISHES GUN.

Insane Man From Rhode Island Picked Up by Police.

Shortly after 2 o'clock this afternoon, a man approached "Billie" McRobie, oz the Bon Ton theater, on the street, and flourishing an automatic Colt's revolver, which he thrust close to Mc-

volver, which he thrust close to McRoble's stomach, exciatmed, "What do
you think of that!" The man thus accosted coolly replied, "Oh, that's immense." If he was frightened, he didn't
let the man with the gun know it.

McRoble entered into conversation
with the man, and finally persuaded
him to put the dangerous weapon our
of sight. The advice was followed, and
a moment after the peculiarly acting
person had turned away, he was approached by Detectives Shannon and
Chase, who ordered him to hold up his
hands. Up went the hands and the
man was relieved of his weapon and
marched to the Police station.

The fellow gave his name as G. B.
Roberts and said that he was from
Rhode Island. The most of his conver,
sation was about his wife, who he sa'd
died a short time ago. Her death
seems to have unbalanced his mind,
and besides he appeared to have here
and well appearing. He wanted to
know why some of the policemen did
not put him out of his rvisery. Roberts
is detained at police headquarters.

# TWO MORE DEATHS

Engineer J. C. Lynch and Fireman E. O. Wyatt Killed in Bingham Canyon,

ACCIDENT THIS MORNING. PLANTING HEAVIER THAN EVER WILL NOT OPEN FOR 30 DAYS.

On Same Line Where Representative Taft and Clint B. Leigh Went to Their Doom.

Patality at Four O'Clock Near U. S. Mining Company's Bridge-Both Bodies Recovered.

(Special to the "News,")

Bingham, March 6 .- A bad accident occurred on the Copper Belt Railroad at o'clock this morning which resulted | the agents of the company are securing

of Harvard university in his annual re-port, which will be presented to the board of overseers this week, maintains that of overseers this week, maintains that football, despite new rules, remains an undesirable game for genilemen to play, or multitudes of people to witness. President Eliot declares that football is properly described by the adjective "fierce" and that no game in which there is recklessness in causing or receiving bodily injuries is fit for college use. Basketball and hockey are placed in the same class with football, and President Eliot advises that intercolleginte contests in any one sport be limited to two games, all other games to be between teams made up at Harvard. He also decries the "excesses of cheering" which characterize present intercollegiate contests as "absolutely unnatural."

#### STROTHER BROTHERS MAY KNOW THEIR FATE TODAY.

Culpepper, Va., March 6.—By late to-day James and Phillip Strother, charged with the murder of William F. Bywa-ters, probably will know their fate. It is not thought that the jury will be long in reaching a verdict. Atty. Moore this morning, for the defense, presented the layer bysec.

defense, presented the legal phases of the case in support of the plea of men-tal derangement at the time of the shooting, condemning that the brothers acted on a sudden, uncontrollable impulse, impelled by sense of wrongs to

John Lee will follow with the addi-tional plea of justification as contained "unwritten law." In the afternoon Capt. Woods will make the final argument for the prosecution. It is not thought that the three

speeches will occupy more than The two defendants still retain the remarkable composure that has characterized their attitude since their ar-

Phillip, the younger, whose illness yesterday threatened for a time to bring the trial to an abrupt halt, was considerably improved this morning.

STREETCAR ACCIDENT.

street car in the center, breaking it al-most in two.

#### Ten Persons Hurt in One in Louisville.

Louisville, Ky., March 6.—Ten persons were injured, two seriously, in a collision between street dors today. The seriously injured are:

J. W. Pfeiffer and Henry Guckes. A Shelby street car struck a

#### AN UNFAITHFUL WIFE.

Husband Unexpectedly Returns Home And Kills Wife and Paramour. Indianapolis, Ind., March 6 --- Mrs

Fred Schwomeyer and William Gili File Articles Today. od by the woman's husband at Ben Davis. Schwomeyer had started from his home for Indfanapolis, but missed a car and returned home. He found his wife and Gill together. Gill was shot five time and the woman once. Schwomeyer states his home had been rulned. The men had for years been FRANK T. CAMPBELL DEAD.

Lima, Ohio, March 6.—Frank T. Campbell, formerly lieutenant-gover-nor of Iowa, died here today, FIRE ON THE VANDALIA.

New York, March 8.—Damage from a fire at sea amounting to fully \$250,.000 was reported by the German steamer Vandalia which arrived here today from China and Japan. The fire started in the Vandalia's hold on the afternoon of Feb. 25 and was subdued only after the hold had been completely flooded with water.

# BEET GROWERS AND WASHOUTS ON ON COPPER BELT SUGAR CO. CONFER SALT LAKE ROUTE

Changes in Contract.

Indications Thus Far in Utah and Idaho Point to an Increase Over Last Year.

> The planting of beets throughout Utah and Idaho will be commenced within the next 30 days, and the contracting for acreage between the farm ers and the several sugar companies has now progressed so far as to make it probable that last year's phenomenal record will be equalled and in some districts surpassed. Already the farmers who grow beets for the factory a Lehi have signed up heavily and

cocurred on the Copper Belt Haliroad at i o'clock this morning which resulted in the death of J. C. Lynch, engineer, and E. C. Wyatt, fireman on the runaway train and the injury of two of the train crew, F. J. Phillips and J. W. Fry.

The accident occurred near the Unit-fed States mine oridize on the branch line of the D. & R. G., commonly called the Copper Belt road and near the place where Representative Tart and Clint B. Leigh met their deaths about 10 days ago.

In this case, as in the numerous previous accidents of a similar character, some carloads of ore got out of control and the train proceeded down the canyon at an increasing high rate of speed, and rolled some distance, becoming a total wreck.

The two injured men were sent to Salt Lake on a special and taken at once to St. Mark's hospital. Phillips is badly scalded about the face and hands, while Fry is tetrility bruised. Unless compleations set in both men will recover.

Since the Copper Belt road was first opened similar accidents have occurred at frequent intervals on this small stretch of mountain track until the list of killed and injured from runaway cars has grown to such proportions that, for its length, the Copper Belt holds the undisputed record of being the most fatal ralled and injured from runaway cars has grown to such proportions that, for its length, the Copper Belt holds the undisputed record of being the most fatal ralled and injured from runaway cars has grown to such proportions that, for nearly every curve is a "Dead Man's Bend."

FOOTBALL.

Prest, Eliot Says it is an Unifesicable of Harvard university in his annual report, which will be presented to the bear of overseers this week, maintains that on one all sleep the terms of the sugar company as an additional 25 week parts to a very large figure.

gear, had amounted to a very large figure.

Regarding the siloing, Manager Cuttler said that the sugar company was willing to pay an additional 25 cents per ton on all siloed beets, but that it was imperative that the company should have the right to call on the farmers to hold back this small part of the crop, in case the tonnage assumed proportions where the factory could not take care of the beets. He pointed out that in Colorado the factories were insisting on having 25 per cent of the crops siloed, and that in Germany no factory ever thought of receiving beets from the farmers until it. ceiving beets from the farmers until it ceiving beets from the farmers until it was ready to handle them. The farmers' committee returned home last evening to report the result of their conference with Manager Cutler.

#### FERRY RESOLUTION

Mayor Approves Proposed Petition to Legislature Regarding Tax Levy.

Mayor Thompson today approved the Ferry resolution adopted by the city council on Monday night. The resolution pro cil on Monday night. The resolution pro-vides for a petition to the state legislature asking that a law be enacted permitting the city council to levy a tax, of not more than three mills for the payment of in-terest on the bonded indebtedness of the city and for a sinking fund for the ra-demption of the bonds. It passed the council after a hard fight by a vote of 8 to 6 all the "Americans" voting for it.

#### COAL LAND CASES.

Amended Complaint Filed in U. S. Court Against Milner Estate.

An amended complaint has been file in the case of the United States against In the case of the United States against Truth A. Milner, executrix of the estate of Stanley B. Milner, deceased, Truth A. Milner, Samuel H. Glison, the Carbon County Land company and Peter N. Campbell. A bill against the same defendants was filed on Jan. 7, 1907, but the papers were not served.

The case involves the title to certain coal lands in southeastern Utah, which it is alleged, were secured by the defendants in a manner contrary to provisions of law governing such matters.

#### PATENT FOR EUREKA MEN.

(Special to the "News.") Washington, D. C., March 6,—Patents Issued: Utah—Benjamin N. Lehman, N. F. Cook and J. Robertson, Eureka, wrench.

Wyoming—Frank A. Beckwith.

Evanston, assignov of one half interest to T. W. Jones, Salt Lake City, in safety device for firearms.

#### NEW MINING COMPANIES.

Lead Hill and Hecla Mining & Milling

The Hecla Mining & Milling company of this city filed its articles of incorporation with the county clerk incorporation with the county clerk today. The capital stock of the company is \$160,000, divided into shares of the par value of \$1 each. H. P. Clark is president; W. H. Shearman, treasurer; Lesier D. Freed, vice president; J. M. Reynolds, secretary. The officers, with Frank J. Gustin, constitute the board of directors. The company owns the Hecla and four other lode claims located in the Bradshaw mining district, Beaver county, Utal.

Articles of incorporation of the Lead

Articles of incorporation of the Lead Articles of incorporation of the Lead Hill Mining company of this city were also filed with the county clerk today. Its capital stock is \$36,000, divided into shares of the par value of \$1 each. L. H. Gray is president; R. E. Ball, secretary; F. T. Titton, vice president and treasurer. The company owns the Lead Hill and West End lode claims located to Sevice control of the control of the sevice control of the control of th claims located in Sevier county, Utah.

Utah County Farmers Ask for Another Flood in Meadow Valley Wash Plays Havoc With The Track.

"In Four Feet of Water: Am About to Take to Rocks," Wires Acoma Agent.

That the Salt Lake Route will not be open again for through business under 30 days, is evident from the reports brought back this morning by the passengers who left this city Monday night, but were turned back at Acoma, just over the Nevada line, The seriousness of the situation may be imagined also from a message received in this city this morning, from the agent at Acoma, who wired, "I'm in four feet of water; am about to take

four feet of water; am about to take to the rocks."

The temporary track laid during the week has been washed out and carried down stream, by the floods due to the immediately recent rains which have been very heavy. However, the general manager and Utah division superintendent, with other officers of the road, are on the spot with every available bit of construction equipment and are doing everything in their power to restote the destroyed roadbed and track. The returned passengers from Monday night's westbound train were taken to the Short Line depot this morning, where their tickets were taken up and re-routed over the Southern Pacific from Sacramento, whence all travel will go until the Sait Lake Route is opened agait.

Local railroad men are not backward

I-TOLD-YOU-SO SQUAD.

Local railroad men are not backward about saying that the San Pedro people would have sayed money had they built in the first place up along the hills, instead of down in the river and creek bottoms, where the tracks are washed away by every flood; also, that the company will yet have to build via Ploche and through the hills, or else construct a costly road bed of concrete and steel on the present location, which can not be moved by floods. The wires were all down this morning, but are being rapidly restored.

The railroad officials ascribe their troubles to the presence of the Salton Sea whose evaporation since its formation, has caused on unheard of precipitation all through that part of the Sage Brush state, so that lands arid and incapable of profitable cultivation within the memory of the oldest residenter, are now well watered and capable of raising any amount of cultivated products. In view of past experience, and the prosbects for the future, the officials of In view of past experience, and the prospects for the future, the officials of the road are beginning to think serious-ly of rebuilding the line higher up through the exposed places.

#### JONES IS OPTIMISTIC.

Utah Independent 'Phone Man Wires From East, "We Will Win."

A telegram received in this city, this morning, from Elmer B. Jones says, "We will win." Mr. Jones is not expected back until late in the month, which is taken to mean in Utah In-dependent circles, that Jones will win out, and prevent the bonds of his com-pany from being scheduled among the assets of the United States Independ-ent company. It is reported from Rochester that the Stromberg-Carlson company owes the Utah company company owes the Utah company \$40,000 on its bonds held by the Rochester corporation, and that should the American Telegraph & Telephone company succeed in getting hold of these bonds from the Stromhery company, the Boston concern would be called on to put up that amount to the Utah Independent com-pany in order to hold the bonds. With the present Utah Independent directory in office to remain for the next 18 months, it is claimed that the Boston people would hesitate to put up such an amount.

#### "SHE ISN'T WORTH IT."

Story of Domestic Trouble Told by the Betraved Husband.

A story of domestic troubles, which is decidedly racy, and one containing features unfit for publication, is now being unfolded before Judge C. B. Diehl. in the criminal division of the city court. It is the case against J. A. Perbles, accused of assault with a deadly weapon on J. E. Mageri, and also immorality with Mrs. Magerl. The latter is also charged with the last named offense. The prosecution is in the hands of Asst. County Atty. Lyon and Judge J. W. N. Whitecotton. The defense is represented by Attys. D. O. Willey are brother.

The first case called this morning was against Peebles, on the charge of assault with a deadly weapon. The complainant, Magerl, testified as to the charge of the complainant of the complainant. circumstances of his going home un-expectedly on the night of Feb. 26 and finding Peebles in a bedroom with

oxpectedly on the finding Feebles in a bedroom with finding Feebles in a bedroom with Mrs. Mageri,
"I intended to kill both of them," said Mageri. "I had a gun leveled at Peobles, but I suddenly changed my mind and said: 'No, I won't; she isn't worth Mageri then went on to say that his wife called to Peebles to protect her. He then struck Mrs. Mageri and Peebles hit Mageri on the head with the nevolver. A fight enjected in which Peebles got possession of the weapon and then fied down the street in his

## FRANK GODBE RECEIVER.

Appointed by Judge Morse for the Utah Mutual Mining Company,

A decree was entered by Judge

Morse today in favor of plaintiffs in the case of Henry W. Lawrence et al., against the Utah Mutual Tunner & Silver Mining company et al. in which it is ordered that a receiver be appointed of the property of the defendant company which consists of the Merrimac lode claim located at Bingham. The company was incorporated in 1873 and ceased to exist in 1893, but its property has not been disposed of. Plaintiffs being stockholders asked for the appointment of a receiver and their request was granted by the court. Frank Godbe was appointed receiver of the company under a bond in the sum of \$1,000, and was authorized to sell the property. the case of Henry W. Lawrence et al.,

## DRAMATIC SCENE IN SHEETS CASE

With Vigor to Attorney for The Defense.

County Attorney Passes the Lie

COURT DRAWN INTO CLASH.

Counsel for Sheets Argues Suavely to Save Head of Police Department From Jail.

Naturally Thinks Case Against His Client Should be Dismissed-Hanson Showed Otherwise,

The audience which crowded into

Judge Whitaker's courtroom this morn-

ing to hear the arguments in the Sheets case was on tip-toe with expectation and anticipation. It expected and wanted charges, denials and countercharges, and it got them-lots of them. A red-hot tilt between Attys. Hanson for the state, and Christens Chief George Sheets, the fendant charged with conspiracy, as thrown e expectant had just finished asserting that negroes had been given their lib y in this city by the county attorne ome time ago. Mr. explained to the cases probably did Hanson ernor of Utah had re-papers for the pur-e prisoners taken bac. where they were want-10,500 robbery. "The, the amount," added

returned \$5.00 b of the amount," added Mr. Christen sen.

Atty. Har haon was again on his fet in an instant. With his voice and whole body quivering with anger he could not hide, the county attorney placed himself directly in front of his opposition and pointing a finger at him said a given and pointing a finger at him said a given and pointing a finger at him said a given and pointing a finger at him said a given and pointing a finger at him said a given and pointing a finger at him said a given and heated interrul public Mr. Christensen retained his as a composure. "I beg the court's fine if I have gone out of the recason if I have gone out of the recason bereather that the county attorney, even, in his wisdom, sometimes better an persistent spite, I wanted to anow that the county attorney, who added. "I'm sorry to say that is move than I can say for you." With some remark about that being a matter for public judgment, the till ended. Soren X. Christensen made a powerful plea for the dismissal of his client and was followed by Mr. Hanson, who presented the prosecution's views in an equally strong light. Mr. Hanson flayed the chief and certain members of the police department unmercifully and to the unprejudiced auditor, it was a toss-up who made the stronger argument.

Mr. Hanson in discussing the insident where a reporter of the "Morning Knocker" showed his notes on the McWhirter affair to the chief, asking the latter if they were correct and the chief's reticence in discussing the robbery, said, "When I consider this point and call to mind what I know of this reporter I do not blame the chief for shaking his head, and when I think of the paper that reporter represented. I do not blame the chief for shaking his head and when I think of the paper that reporter represented.

ARGUMENTS BEGIN.

Arguments in the Sheets case were pened this morning. Atty. Soren X. opened this morning. Atty. Soren X. Christensen made the first talk, commencing immediately upon court bemencing immediately upon court be-ing declared in session at 10 o'clock. Attoracy Christensen mentioned early in his talk a mysteri-ous "animus" behind the case; explaining how the McWhirters left town, satisfied that they had been deait squarely with by Chief Sheets, only to discover they had been wronged after being taken into "tow" by Mark P. discover they had been wronged after being taken into "tow" by Mark P. Braffett and others. Sorensen branded McWhirter not a fool but a "knave" in some things. The attorney described the arrest of Bell on Aug. 2t, when Bell sald he was released upon condition that he left town. This point was included to show there was no conspiracy effected up to this date. "What had Bell done? Why was he arrested? Because he was suspected only," were

Bell done? Why was he arrested? Because he was suspected only," were concluding remarks on this point.

"There has not been one word to connect Chief Sheets' name with knowledge of buncoeing," continued Atty. Christensen. "Why didn't the prosecution bring in those three residents of Ogden and two from Provo included in a list of buncoed men prepared by the county attorney? Because the result would have been the same as it has been, no connection would have been been; no connection would have been linked between Chief Sheets and any

DR. JEKYL-MR. HYDE.

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In discussing Judge Hilton's being counsel for Parrent and also assistant state prosecutor, the speaker waxed warm and eloquent. "The county attorney has been bunceed worse than were the McWhirters," he shouted. "Isn't it a beautiful spectacle? Judge Hilton seems to be a 'Dr. Jekyl-Mr. Hyde' sort of a proposition. I have heard that Judge Hilton was a class mate of the late Judge Brown, who was chief counsel for the prosecution during the last Sheets heating. It may be tails plan was curried out in bringing Judge Hilton from Colorado to aid our able county attorney this time."

Mr. Christensen read from the first testimony of the McWhirters, where Alexander explained that he asked Chief Sheets if Bell was an officer and the chief answered. "Certainly not." Additional testimony was read to show the chief offered to arrest Bell, but Mc-Whirter said he (Bell) had not taken the money. Mr. Christensen then dwelt at length upon McWhirter's refusal to stay over in Sait Lake a day or two although this action was suggested by Chief Sheets. "Are these acts of a co-conspirator?" he shouted. "There was poison instilled in the McWhirters' mind. By whom? Not by Mark P. Braffert because he wouldn't, and not by Parley P. Christensen, because he couldn't, It must be traced to the attorneys of the Sait Lake Route either at this end or in Los Augeles. An effort was made to entrap the chief. He did everything any chief of police would have done. He told bothing but the truth. What did he do unfair, or unjust?"

A DRAMATIC SCENE.

A dramatic scene occurred well along in Mr. Christensen's talk when he said County Atty, Hanson had let two negross loose because they returned \$5,000 of \$10,500 which they were said to have secured by !llegitimate means in Portland. Hanson Jumped to his feet Portland. Hanson jumped to his feet and looking Christensen squarely it