

The Shrewd Advertiser is alive to the value of the "News" as a medium of weight and wide reading.

# DESERT EVENING NEWS.

A Little "For Sale" Ad in the "News" Will Sell Your Old Store—or Anything Else Worth Advertising.

10 PAGES —LAST EDITION THURSDAY APRIL 9 1908 SALT LAKE CITY UTAH FIFTY-SEVENTH YEAR

## JOE SULLIVAN IS SENTENCED

Convicted Murderer of Officer Ford to Serve Life Imprisonment for Crime.

SCENE IN THE COURTROOM.

Ex-Convict Calmly Chews Gum And Gazes Out of Window as Court Addresses Him.

His Attorney Informs the Judge That He Is Prepared to Enter An Appeal.

By the time this is being read, Joseph Sullivan will have started in on his sentence upon conviction of the murder of Chas. S. Ford, Dec. 14, 1907. The sentence expires when his last breath expires. Between now and his dying moments Sullivan will know nothing but prison walls; prison discipline, prison food, prison clothes and all the cold, dull things which make prison life.

There is just one ray of hope left this young man and his attorneys, Bailey & Vickers, also young men. An appeal is the ray. Counsel for defense has said throughout the trial that an appeal would be taken should an unfavorable verdict be returned. In an impassioned speech to the jury young Bailey said he would sell his farm and all be owned on earth to fight the case to the last ditch.

AFFIDAVITS INTRODUCED.

Formal proceedings leading up to the actual passing of sentence were short. Atty. Bailey introduced the affidavits of John Olsen and M. Florence. Olsen sworn in his statement that he saw two men run out of the Albany bar about 2 o'clock on the morning of Dec. 14. They pulled masks off their faces and the witness now know the men to be John Owen and Garcia. Florence's affidavit told of the witness hearing shots while walking northward on Fifth West, between First and Second South, about 2 o'clock on the morning of Dec. 14. Witness said he got behind a tree and two men ran past. These he believes were Owen and Garcia; he is sure Sullivan was not one of the men.

PREPARED TO APPEAL.

Following the introduction of these affidavits, the court announced that the motion for a new trial would be overruled; yesterday's judgment holding good. Final statements from the lawyers followed. Atty. Bailey said he wanted to urge that his client be given every bit of justice possible under the ruling of the court and the laws. He spoke of circumstantial evidence as a tricky thing and said he felt he did not need to tell of cases where a man's innocence had been proved after the man had been hanged or shot to death. A parting reference to the unreliability of such witnesses as Buckley and others who testified for the state followed, and then Attorney Bailey sat down, his face, whiter than Sullivan's, and damp breaking out on his forehead. He was on his feet a second later, asking for a stay of 30 days. It was denied. "We are prepared to appeal," was the young attorney's next assertion.

CIRCUMSTANTIAL EVIDENCE.

Before Judge Armstrong had uttered the words which made Sullivan a "life," his remarks indicated strongly that such would be his sentence. He said he felt it was true that Sullivan had been convicted upon circumstantial evidence and no one would ever say he was sentenced a man's life away on such evidence. He then turned to Sullivan and nodded for the defendant to step nearer. This the defendant did, and upon being asked if he had any legal reason to give for not being sentenced at that time, said in a low voice, "No, sir."

SULLIVAN CALM.

With arms folded and jaws grinding over a quid of gum, Joe Sullivan had listened calmly to Judge Armstrong's remarks, just prior to the uttering of sentence, and now Sullivan was looking into the distance.

He faced the court without letting his face or actions furnish the slightest intimation of what were his thoughts.

SENTENCED.

"The sentence of the court is that you be confined within the state penitentiary at hard labor for the remainder of your life. This, I believe, finishes the case of Utah vs. Sullivan. The next case is that of—"

"Sullivan! Sullivan! Oh, Joe!" whispered the deputies in charge of him. For the young man still stood in front of the judge's bench, arms folded, jaws moving slowly on the faithful piece of gum and gaze still fastened on the distant skyline of the snow-covered mountains. He didn't know the matter had been disposed of. Sullivan had no formal proceedings were coming. Sullivan was touched upon the sleeve and he turned to resume his seat between the two deputies there was a smile upon his face. But there was a malicious look there, too. It seemed as if the sentenced man was about to cry out, "Oh, if I could only tear one of your teeth out, Sullivan! It must have been Sullivan's eyes which gave everybody this impression; because on his face there was—that smile of his."

WENT OUT QUIETLY.

He walked quietly to the bench which he occupied during the last session of court and held up his wrists for the heavy bracelets he has worn since he was taken from the penitentiary. Judge Armstrong asked auditors if he wished to leave the courtroom to go to the court house outside did not want to leave the building; it formed into two groups on either side of the courtroom door. Sullivan had to pass between these two lines to reach the elevator. As he marched out between the two vigilant deputies he looked over the crowd as if amused at



JOE SULLIVAN, SENTENCED TODAY.

the variety of stares directed at him. He made no comment, however.

SULLIVAN CURSES OWEN.

Says Truth Will Out and He Will Wait For That Time.

Sullivan talked with representatives of the press after sentence had been passed. He kept any opinion which might have to himself but hauled John Owen over the coal unmercifully. "Owen is a dirty, lying skunk who would say anything, rather than take the medicine he deserves. I don't know why he lied about me so, but his taking 20 years so willingly looks peculiar and gives me reason to believe it was up to him to shove a bigger penalty off on someone else. I am in it for rest of my life unless some way to get things straightened out is figured out. I am willing to wait until it can be straightened out. It must out sooner or later and I'll be on earth to get what is coming to me. I don't do any good to talk now; it is up to me to take what I've got and wait for the thing to come to its right light. What's the use of howling that I'm not guilty. I told

## MEANING OF THE TERM "HARD LABOR"

"You are sentenced to the state prison for life at hard labor," is an announcement that at intervals appears in public print in connection with court reports; and many readers wonder just what "hard labor" means. "Hard labor" is a very elastic expression; it may mean but little, it may mean a good deal; and even in the mind of the court, the definition is more or less misty. The statutes do not define it, and no one ever heard the court say "light labor," which might give a more definite meaning. The interpretation of it lies entirely with the warden of the prison; and it is generally taken to mean that the convict receives no pay for his labor. But "hard labor" is really a blessing in disguise; for if there is anything likely to disintegrate the mental fiber, and absolutely wreck a man, it is to keep him in idleness.

"Hard labor," as imposed in a sentence, may appear as a punishment additional to that of restricted liberty, and in one way it is, in the sense that the convict receives no pay for his labor. But "hard labor" is really a blessing in disguise; for if there is anything likely to disintegrate the mental fiber, and absolutely wreck a man, it is to keep him in idleness.

DRIVES MEN INSANE.

This has been demonstrated time and again in many prisons where men have been kept in the lanes, for some time, in the state of mind. In the Montana state prison at Deer Lodge, and in the Illinois state prison at Joliet, owing to the labor unions which possessed enough influence with the legislatures of those states to forbid the convicts to do any manual labor beyond what was necessary for purely local maintenance. The results have become alarming at Deer Lodge where many convicts have gone insane and been transferred to the asylum. At Joliet enforced idleness resulted in such morally deplorable conditions that the medical influence of the state was brought to bear on the legislature with a pressure that was more than the opposition of labor union demagogues could overcome. Most any warden will testify that idleness in confinement is productive of the most depraved practices that have obtained among men; which soon or later eat out the prisoners' intellectual as well as his moral existence.

MONTANA AS A SAMPLE.

Montana is so far away from the rest of the Union, in one way, that economic conditions obtaining there do not receive the same attention that is given to communities nearer the great centers of population. But the deplorable state of things existing at Deer Lodge is attracting more notice, through penal reform circles; and the hope is that influence will be brought to bear upon the Montana legislature from outside which will induce it to recall the unsalutary prohibition

## ADMIRAL EVANS' HEALTH

Is But a Shadow of His Former Self And Has Some Complications That Retard Rapid Recovery.

Paso Robles Hot Springs, Cal., April 8.—Rear Admiral Evans was somewhat restless and did not sleep very well last night. Dr. McDonald, who slept in an adjoining room, however, stated he was not called during the night, and that he considered that the admiral had a very fair night. He was feeling cheerful this morning and was looking forward with much pleasure to the coming of his wife and daughter, who will arrive with Lieut. Evans this afternoon. Rear Admiral Evans' room and the room of Mrs. Evans at the Alexandria

Connecticut leading his great fleet out of Hampton Roads less than four months ago. He weighed then 175 pounds; now he weighs barely 120.

While his rheumatism has almost disappeared as a result of the treatment at the hot springs and his general condition has improved greatly, and he has gained considerable strength, Dr. McDonald and L. E. Phillips, the physicians at the hot springs, admitted this morning that there were other complications which retard his rapid recovery and will make permanent improvement very slow. They declined, however, to go into details or state the nature of the complications.

## NAME BATTLESHIP UTAH

Senator Smoot Has President's Word That One of New Ones Will Be Named After This State.

(Special to the "News.") Washington, D. C., April 9.—Utah will have more interest in the navy bill which comes up in the house tomorrow than was ever manifested before. The reason is that two new battleships are to be authorized and possibly four, one of which will be named after the State of Utah. Just when the vessel will be built is not yet determined, but labor organizations all over the country are making vigorous efforts to secure legislation which will ensure work for employees of shipbuilding yards where the Connecticut was recently completed. Senator Smoot has the word of President Roosevelt that Utah will be the name of one of the new ships. It is a big delegation from the state at the launching and some young lady, probably designated by the governor of the state will break a bottle of champagne over the bows of the vessel as she slides off the ways into the water.

## MR. CLEVELAND'S HEALTH.

Has Been Ill During the Past Week But Is Much Better.

Lakeview, N. J., April 9.—Mrs. Gov. Cleveland, when asked today concerning a report that Mr. Cleveland was seriously ill, said:

"Mr. Cleveland has been ill during the last week, but is much better this week and hopes in a few days to be quite himself."

## PROHIBITION IS UPHELD

Alabama Supreme Court Holds That And Nine O'clock Closing Law Are Constitutional.

Montgomery, Ala., April 9.—The Alabama supreme court today held both the general prohibition and the 9 o'clock closing law to be constitutional and effective. Attack had been made on both by the liquor forces of the state. The two laws were argued together and the decision is taken by both sides to settle the questions. Mobile interests have fought the two provisions from the first, holding that both will be ruin to one city such as it is. In upholding the general prohibition act the court also gives validity to the local option law that was involved in the cases brought.

## CONDUCTORS OF KENTUCKY LOTTERY HEAVILY FINED

Cincinnati, April 9.—Fines aggregating \$22,200 were today assessed against Morris Richmond and six others who were arrested some weeks ago charged with conducting the Kentucky Lottery company to indict the men were assigned in Covington today and all pleaded guilty. Richmond was fined \$10,000 and lesser amounts were announced against the others, all of whom declared they were through with the lottery business forever.

## UTAH IMPLEMENT CO.

David Eccles and M. S. Browning of Ogden Negotiating for Its Purchase.

It was learned today from parties connected with the Utah Implement company on State street, that the capital stock of that institution was about to be purchased by Ogden interests, headed by Hon. David Eccles and M. S. Browning. As the report reached the "News" just before going to press, those gentlemen could not be communicated with to have the report verified but some of their friends in financial circles stated that they had no doubt the report was correct, as they knew that the stock in the institution had been offered them, and that they had been investigating the status of the company's affairs.

The capital stock of the Utah-Implement company at present stands at \$250,000. The old company was sold to eastern interests sometime ago through the agency of Mr. John Q. Critchlow, who is understood to be conducting the negotiations between the present owners and Messrs. Eccles and Browning. It is stated that the stock is held to be worth close to par, in which event the deal will involve something like a quarter of a million dollars, that is if the entire stock changes hands. It is likely, however, that some of the leading stockholders will retain their interest under the new regime.

WATER ASSESSMENTS.

Twelve Men Canvassing the City and Boosting the Old Schedule.

Twelve men from the water department of the city are canvassing the town making water assessments. An entire new assessment is being made, all records and standards of previous years being thrown aside and the levy will this year be made on the basis of the actual amount of water to be used. Where lawns are sprinkled an extra charge is to be made over and above the house rate. It is expected three or four weeks yet will be necessary to complete the water assessment.

## TO PENSION DR. J. B. SIMMONS.

(Special to the "News.") Washington, D. C., April 9.—Senator Sutherland today introduced a bill to pension Dr. J. B. Simmons of Salt Lake, at \$30 per month.

## SUPPRESSION OF ANARCHY

Compared With it, All Other Questions Sink Into Insignificance, Says President.

SPECIAL MESSAGE ON SUBJECT

Anarchist's Criminality is of Deeper Degree Than That Of Any Other.

Papers Advocating Anarchistic Doctrines Should Be Prohibited Circulation in This Country.

Washington, D. C., April 9.—In one of the shortest messages which he has yet transmitted to Congress, President Roosevelt today called the attention of that body to the necessity of further legislation on the subject of anarchy. With the message he transmitted a report reviewing the legal phases of the question by Atty.-Gen. Bonaparte. The message of the president is as follows:

"To the Senate and House of Representatives: "I herewith submit a letter from the department of justice, which explains itself. Under this opinion I hold that existing statutes give the president the power to prohibit the postmaster general from being used as an instrument in the commission of crime; that is, to prohibit the use of the mails for the advocacy of murder, arson and treason; and I shall act upon such construction, if I deem it proper, however there should be further legislation by Congress in this matter. When compared with the suppression of anarchy, every other question sinks into insignificance. The anarchist is the enemy of humanity, the enemy of all mankind, and his is a deeper degree of criminality than any other. No immigrant is allowed to come to our shores if he is an anarchist, and no paper published here or abroad should be permitted circulation in this country if it propagates anarchistic opinions (Signed) THEODORE ROOSEVELT. "The White House, April 9, 1908."

Besides his direction to the postmaster general to exclude from the mails such publications as La. Questions Sociales, President Roosevelt in his letter to Congress, Bonaparte asking for legislation on the subject of anarchy, says he has had the particular case called to the attention of the governor of New Jersey by Secy. Root that the governor may proceed under the state laws.

## BANK STAFF INCREASED

Charles H. Wells To Become Assistant Cashier at the Utah National.

When W. W. Trimmer's resignation from the Utah National bank becomes effective, he will be succeeded as assistant cashier by Charles H. Wells, now paying teller in the Commercial National bank. Mr. Wells will combine in part the duties assigned at present to Mr. Strong as well as Mr. Trimmer, and will become Cashier Rodney T. Badger's first assistant in managing the general affairs of the bank. He has been in the banking business in Salt Lake for 17 years, and has occupied every position from collector to receiving teller at the State Bank of Utah, which institution he entered in 1901, leaving on Jan. 14, 1907, to accept his present position at the Commercial National.

Another new man who will come to the bank is George H. Butler, now at McCormick & Co.'s bank, and he will be assistant paying teller.

These two additions are all that are likely to be made to the staff, as Mr. Badger will perform the duties both of Mr. Adams and Mr. Nelson, whose resignations took effect yesterday. No more changes are likely to occur, except in the case of Mr. Adams, who this morning again reiterated his determination not to resign until he is relieved. He is clearly an even-tempered man, and is not yet yet determined whether he will hold the position until he is relieved, or whether the matter will legally have to go over for a year.

Regarding the robbery of \$105,000 from the safe of the bank, absolutely nothing new has developed. The affair is still in the hands of the Pinkertons, and the reward of \$15,000 will start to any one who can furnish information leading to the detection of the robbers. The Desert News, and the other recent journals of the city, in refraining from printing lurid reports and sensational stories of the robbery, have shown a commendable restraint.

The daily evening paper of the city, in refraining from printing lurid reports and sensational stories of the robbery, have shown a commendable restraint.

The daily evening paper of the city, in refraining from printing lurid reports and sensational stories of the robbery, have shown a commendable restraint.

The daily evening paper of the city, in refraining from printing lurid reports and sensational stories of the robbery, have shown a commendable restraint.

The daily evening paper of the city, in refraining from printing lurid reports and sensational stories of the robbery, have shown a commendable restraint.

The daily evening paper of the city, in refraining from printing lurid reports and sensational stories of the robbery, have shown a commendable restraint.

The daily evening paper of the city, in refraining from printing lurid reports and sensational stories of the robbery, have shown a commendable restraint.

The daily evening paper of the city, in refraining from printing lurid reports and sensational stories of the robbery, have shown a commendable restraint.

The daily evening paper of the city, in refraining from printing lurid reports and sensational stories of the robbery, have shown a commendable restraint.

The daily evening paper of the city, in refraining from printing lurid reports and sensational stories of the robbery, have shown a commendable restraint.

The daily evening paper of the city, in refraining from printing lurid reports and sensational stories of the robbery, have shown a commendable restraint.

The daily evening paper of the city, in refraining from printing lurid reports and sensational stories of the robbery, have shown a commendable restraint.

The daily evening paper of the city, in refraining from printing lurid reports and sensational stories of the robbery, have shown a commendable restraint.

The daily evening paper of the city, in refraining from printing lurid reports and sensational stories of the robbery, have shown a commendable restraint.

The daily evening paper of the city, in refraining from printing lurid reports and sensational stories of the robbery, have shown a commendable restraint.

The daily evening paper of the city, in refraining from printing lurid reports and sensational stories of the robbery, have shown a commendable restraint.

The daily evening paper of the city, in refraining from printing lurid reports and sensational stories of the robbery, have shown a commendable restraint.

## EVIL OF RACE TRACK GAMBLING

Gov. Hughes Sends Special Message to Legislature Asking for Legislation.

FLOURISHES BECAUSE OF LAW

Not Asked to Accomplish the Impossible but to Rid Law of Vicious Discrimination.

Also Recommends Reform of Banking Methods, Direct Primary Nominating Elections and Investigations.

Albany, N. Y., April 9.—Following the failure of the senate last night to pass the anti-race track gambling bills, Gov. Hughes today sent to the legislature a message renewing his recommendation for the enactment of this legislation and asked for the enactment of eight other propositions now pending before the legislature.

Gov. Hughes has decided to issue a call for a special election for May 12 for the choice of a successor to Senator Francher, Republican of the Niagara district, who died recently.

RECOMMENDATIONS.

In his message today, Gov. Hughes' recommendations include: The passage of appropriate legislation to prevent the present so-called discrimination of the Percy-Gray law, which practically legalized gambling on race tracks.

Legislation to reform banking methods.

Direct primary nominating elections.

Legislation which will place telephone and telegraph companies under the jurisdiction of the public service commission.

The passage of bills which will facilitate the construction of subways in New York City.

The governor also urges investigation by commission:

"First, Wall street speculation; second, the question of immigration; third, the question of unemployed in this state; and fourth, the relation of the inferior courts to certain criminal procedure."

RACE TRACK GAMBLING.

Relative to the Hat-Again bills, the governor in his message says:

"I again urge you to enact appropriate legislation to abolish the existing discrimination in favor of race track gambling."

"The failure of the upper branch of your honorable body to pass the measures designed to effect this purpose after their passage in the lower branch cannot be regarded as a defeat of the matter. The constitution with its peremptory mandate, still stands."

"The evil of race track gambling flourishes not in spite of law, but because of the law. Legislation pretending to carry out the constitutional provision in effect nullifies it. You are not asked to accomplish the impossible, but to rid the law of its vicious discrimination where-by it equally condemns the constitution and the law."

"The failure of the upper branch of your honorable body to pass the measures designed to effect this purpose after their passage in the lower branch cannot be regarded as a defeat of the matter. The constitution with its peremptory mandate, still stands."

"The evil of race track gambling flourishes not in spite of law, but because of the law. Legislation pretending to carry out the constitutional provision in effect nullifies it. You are not asked to accomplish the impossible, but to rid the law of its vicious discrimination where-by it equally condemns the constitution and the law."

"The failure of the upper branch of your honorable body to pass the measures designed to effect this purpose after their passage in the lower branch cannot be regarded as a defeat of the matter. The constitution with its peremptory mandate, still stands."

"The evil of race track gambling flourishes not in spite of law, but because of the law. Legislation pretending to carry out the constitutional provision in effect nullifies it. You are not asked to accomplish the impossible, but to rid the law of its vicious discrimination where-by it equally condemns the constitution and the law."

"The failure of the upper branch of your honorable body to pass the measures designed to effect this purpose after their passage in the lower branch cannot be regarded as a defeat of the matter. The constitution with its peremptory mandate, still stands."

"The evil of race track gambling flourishes not in spite of law, but because of the law. Legislation pretending to carry out the constitutional provision in effect nullifies it. You are not asked to accomplish the impossible, but to rid the law of its vicious discrimination where-by it equally condemns the constitution and the law."

"The failure of the upper branch of your honorable body to pass the measures designed to effect this purpose after their passage in the lower branch cannot be regarded as a defeat of the matter. The constitution with its peremptory mandate, still stands."

"The evil of race track gambling flourishes not in spite of law, but because of the law. Legislation pretending to carry out the constitutional provision in effect nullifies it. You are not asked to accomplish the impossible, but to rid the law of its vicious discrimination where-by it equally condemns the constitution and the law."

"The failure of the upper branch of your honorable body to pass the measures designed to effect this purpose after their passage in the lower branch cannot be regarded as a defeat of the matter. The constitution with its peremptory mandate, still stands."

"The evil of race track gambling flourishes not in spite of law, but because of the law. Legislation pretending to carry out the constitutional provision in effect nullifies it. You are not asked to accomplish the impossible, but to rid the law of its vicious discrimination where-by it equally condemns the constitution and the law."

"The failure of the upper branch of your honorable body to pass the measures designed to effect this purpose after their passage in the lower branch cannot be regarded as a defeat of the matter. The constitution with its peremptory mandate, still stands."

"The evil of race track gambling flourishes not in spite of law, but because of the law. Legislation pretending to carry out the constitutional provision in effect nullifies it. You are not asked to accomplish the impossible, but to rid the law of its vicious discrimination where-by it equally condemns the constitution and the law."

"The failure of the upper branch of your honorable body to pass the measures designed to effect this purpose after their passage in the lower branch cannot be regarded as a defeat of the matter. The constitution with its peremptory mandate, still stands."

"The evil of race track gambling flourishes not in spite of law, but because of the law. Legislation pretending to carry out the constitutional provision in effect nullifies it. You are not asked to accomplish the impossible, but to rid the law of its vicious discrimination where-by it equally condemns the constitution and the law."

"The failure of the upper branch of your honorable body to pass the measures designed to effect this purpose after their passage in the lower branch cannot be regarded as a defeat of the matter. The constitution with its peremptory mandate, still stands."

"The evil of race track gambling flourishes not in spite of law, but because of the law. Legislation pretending to carry out the constitutional provision in effect nullifies it. You are not asked to accomplish the impossible, but to rid the law of its vicious discrimination where-by it equally condemns the constitution and the law."

"The failure of the upper branch of your honorable body to pass the measures designed to effect this purpose after their passage in the lower branch cannot be regarded as a defeat of the matter. The constitution with its peremptory mandate, still stands."

"The evil of race track gambling flourishes not in spite of law, but because of the law. Legislation pretending to carry out the constitutional provision in effect nullifies it. You are not asked to accomplish the impossible, but to rid the law of its vicious discrimination where-by it equally condemns the constitution and the law."

"The failure of the upper branch of your honorable body to pass the measures designed to effect this purpose after their passage in the lower branch cannot be regarded as a defeat of the matter. The constitution with its peremptory mandate, still stands."

"The evil of race track gambling flourishes not in spite of law, but because of the law. Legislation pretending to carry out the constitutional provision in effect nullifies it. You are not asked to accomplish the impossible, but to rid the law of its vicious discrimination where-by it equally condemns the constitution and the law."

"The failure of the upper branch of your honorable body to pass the measures designed to effect this purpose after their passage in the lower branch cannot be regarded as a defeat of the matter. The constitution with its peremptory mandate, still stands."

"The evil of race track gambling flourishes not in spite of law, but because of the law. Legislation pretending to carry out the constitutional provision in effect nullifies it. You are not asked to accomplish the impossible, but to rid the law of its vicious discrimination where-by it equally condemns the constitution and the law."

"The failure of the upper branch of your honorable body to pass the measures designed to effect this purpose after their passage in the lower branch cannot be regarded as a defeat of the matter. The constitution with its peremptory mandate, still stands."