

# NOISY CROWD BREAKS UP INQUEST

THROW FORCES DOORS AND  
BREAKS WINDOWS TRYING  
TO HEAR EVIDENCE.

## MRS. HANCOCK EXPLAINS

Wife of Murdered Man Declares She  
Would Not Tell All She Knew on  
Witness Stand Because of Fear of  
Samuel Walker, Whom She Asserts  
Made Threats Against Her Life.

Special to The Daily Missoulian.

Helena, Jan. 22.—A riotous crowd this evening broke up the coroner's inquest which was inquiring into the death of John Hancock, former president of the Helena Miners' union, who was lured from his home a week ago tonight and murdered. The witnesses had been examined and the examination of a third had just started when Coroner Flaherty, who had threatened, if the noise did not cease, to adjourn the inquest, made good his threat. The crowd lingered around the building for an hour afterwards. At 6:30 the crowd began arriving, and at 7 nearly all the seats had been taken. A little later the doors of the court room were closed. At 7:30 o'clock extending from each of the three outside doors of the county building was a stream of humanity a block long with each artery being augmented by fresh arrivals every minute. When the inquest started the crowd which packed the corridors became boisterous and forced open one of the doors. All surged in until no more could get by and then it was impossible to close the doors. Whenever a witness testified, the crowd outside became noisy. Every few minutes a shattered pane of glass interrupted the proceedings. The officers could do nothing with the crowd, which simply swallowed them up whenever they appeared. Coroner Flaherty rapped time and again for quiet. Then he said if the proceedings were interrupted once again he would adjourn. This followed two minutes afterwards.

Mike Quay and Jim Jennings testified they saw Walker in the Central saloon between 9 and 10 o'clock last Friday. At 9:45 Quay walked down the street with Walker. The latter talked intelligently, but said he was drunk and staggered. If he had not staggered, the witness would not have known he was drunk. County Attorney Homer said tonight he will release Mrs. Hancock tomorrow on her own recognizance.

Mrs. Hancock stated that because of fear of Samuel Walker, she was afraid to go on the witness stand and tell the truth; that threats had been made against her life by Walker and because of her knowledge of alleged "high grading" operations conducted by her husband and Walker at the Whitlatch mine, where they were lessees prior to their estrangement.

## COMMISSIONERS FORM STATE ORGANIZATION

Special to The Daily Missoulian.

Helena, Jan. 22.—The boards of county commissioners which have been meeting in Helena in joint assembly with the state association of assessors, in separate session organized into a state board of county commissioners. Officers were elected and the meeting adjourned to meet next year with the assessors in Billings at a date to be ascertained.

The officers elected are: G. R. Brown, Butte, chairman; J. J. Hindson, Helena, first vice president; D. F. Buria, Yellowstone, second vice president; Jerro Sullivan, Fort Benton, Chouteau county, secretary.

## MUCH WANTED BANKER CANNOT BE LOCATED

San Diego, Cal., Jan. 22.—Although Sheriff Smith of Lincoln county, Nev., is in this city with a warrant for the arrest of Homer G. Taber, former president of the defunct Searchlight bank, for whose return to Nevada Governor Gillett has honored a requisition, he has not been able to serve it. When Smith arrived he was met by counsel for Taber, who informed the sheriff that the bank president had left the city, but agreed to surrender him, provided the sheriff would not smuggle the prisoner out of the county or state until the courts had passed on habeas corpus proceedings.

A rumor says Taber is across the Mexican boundary at Tia Juana.

## VICTIM OF MINE ACCIDENT.

Special to The Daily Missoulian.  
Butte, Jan. 22.—Patrick McDyre died this morning from injuries received by a fall of ground in the High Ore mine at 2:30 o'clock this morning. McDyre, with a companion was at work on the 1,400-foot level when a fall of ground occurred. He was rescued after some difficulty and hurried to the hospital where he died at 8 o'clock. McDyre was 33 years old, single, and a native of Donegal, Ireland.

# PRIMARY LAW MAY MEET DEFEAT

CONFLICT BETWEEN HOUSE AND  
SENATE THREATENS SUCCESS  
OF ELECTION MEASURE.

## ANTI-RACE BILL TABLED

Donlan's Proposed Act Prohibiting  
Bookmaking and Pool Selling Is In-  
definitely Postponed Upon Recom-  
mendation of Committee—Adjourn-  
ment Is Taken Until Monday.

Special to The Daily Missoulian.

Helena, Jan. 22.—From the vote in the house on the democratic primary law, and the action of the democratic caucus a few nights ago, it now appears that there will be no primary legislation by the eleventh assembly. The democrats in caucus decided to stand by the Clayberg bill, which is a duplicate of the Oregon law, and to take nothing else. Today the committee on judiciary reported that bill to the house. There were two reports, the majority signed by the democrats, favoring its passage, and a minority signed by the republicans recommending indefinite postponement. The majority report was adopted by a vote of 35 to 28, and the bill went to the printing committee. It will undoubtedly go through the house by a party vote.

The senate is just as determined it will not have the Oregon law as the house is it will have no legislation on the subject. The question as to whether Montana shall be represented at the Seattle exposition is a live one just now, and Kilgallon, of the appropriations committee, asked today that the newspapers of the state and the people generally express their opinion on the advisability of passing a bill appropriating \$10,000 or one-half of the amount for the purpose of not appropriating anything and appointing a commission to "rustle the money."

Both houses adjourned at noon until Monday afternoon.

## Routine Session.

The senate had a purely routine session today. It made short shrift of Donlan's anti-race bill, which was tabled. It adopted the report of the committee on public morals, recommending its indefinite postponement. Committee reports were made as follows, all being adopted: That Senate Bill No. 46, prescribing the manner in which insurance companies may do business in Montana, do pass; that Senate Bill No. 47, to prohibit rebating and discrimination by insurance companies, do pass; that Senate Bill No. 42, concerning farmers' institutes, do pass; public morals, that Senate Bill No. 4, to prohibit poolrooms, be indefinitely postponed.

The following bills were introduced: No. 48, by Annin: Relating to school districts. No. 49, by Donlan: Extending the limit for redemption of tax titles to two years. No. 50, by Meyer: Duties of state coal mine inspector. No. 51, by Meyer: Examining board for applications for positions in and about coal mines. No. 52, by Meyer: Examining board for state coal mine inspector. No. 53, by Edwards: Closing dance halls on Sunday.

The following notices were given: By Cockrell—Regulating practice of dentistry. By Sanders—Relating to sale of property on which taxes are delinquent. By Sanders—To determine liability of persons and corporations engaged in mining. By Donlan—Regulating examination of plumbers. By Meyer—Creating insurance fund for coal miners.

On third reading the following bills were passed: No. 13, relating to interest on city and county funds, and No. 11, relating to stock of co-operative associations.

## Twenty Bills.

In the house standing committees reported 26 bills this morning, recommending 15 for favorable consideration and killing five. The report of the judiciary committee on House Bill No. 24 caused the only division of the morning. House Bill No. 26 is Clayberg's measure for a primary law in Montana. It is a democratic measure and is an adaptation of the Oregon law. Representatives Gibson, Gray and Pomeroy, the republican members of the judiciary committee, submitted a minority report on the measure recommending its indefinite postponement, while a majority report by the democrats recommending the passage of the bill with certain amendments which were necessary to avoid conflict with Montana statutes, was also read. Representative Gray of Cascade moved the adoption of the minority report, whereupon Pierson of Carbon moved as a substitute motion that the majority report be adopted. Gray came back and moved that Pierson's motion be tabled, a vote upon which resulted in a strict party division, Gray's motion being lost, 28 to 35.

Representative Gray then moved that further consideration of the bill be postponed, and made a special order of business for Monday afternoon at 2:30 o'clock. Burke moved that this motion be laid upon the table, and the chair being unable to decide whether those in favor of the motion opposed yelled the loudest, directed a rising vote, and Burke's motion carried.

# PRESIDENT TRANSMITS REPORT OF CONSERVATION COMMISSION

Document Embodying Results of Extensive Investigation of Nation's  
Resources and Containing Valuable Suggestions as to Best  
Methods of Conserving Them, Given to Congress.

Washington, Jan. 22.—President Roosevelt today transmitted to congress the report of the national conservation commission. The report was accompanied by a special message from the president calling particular attention to essential features of the document and urging such action as may be advisable and necessary to conserve the resources of the country. The president's message and the report follows:

I transmit herewith a report of the national conservation commission, together with the accompanying papers. This report, which is the outgrowth of the conference of governors last May, was unanimously approved by the recent joint conference held in this city between the national conservation commission and governors of states, state conservation commissions, and conservation committees of great organizations of citizens. It is, therefore, in a peculiar sense representative of the whole nation and all its parts.

With the statements and conclusions of this report I heartily concur, and I recommend it to the thoughtful consideration both of the congress and of our people generally. It is one of the most fundamentally important documents ever laid before the American people. It contains the first inventory of its natural resources ever made by any nation. In condensed form it presents a statement of our available capital in material resources, which are the means of progress, and calls attention to the essential conditions upon which the perpetuity, safety and welfare of this nation now rests and must always continue to rest. It deserves, and should have, the widest possible distribution among the people.

## Imperative Call.

The facts set forth in this report constitute an imperative call to action. The situation it discloses demands that we, neglecting for a time, if need be, smaller and less vital questions, shall concentrate an effective part of our attention upon the great material foundations of national existence, progress and prosperity.

This first inventory of natural resources prepared by the national conservation commission is undoubtedly the best and most complete which will be indispensable for dealing intelligently with what we have. It supplies as close an approximation to the actual facts as it was possible to prepare with the knowledge and time available. The progress of our knowledge of this country will continually lead to more accurate information and better use of the sources of national strength. But we cannot defer action until we have more complete information. The material facts are before us. They are not to be reached, because before that time many of our resources will be practically gone. It is not necessary that this inventory should be exact in every minute detail. It is essential that it should correctly describe the general situation; and that the present inventory does. As it stands it is an irrefutable proof that the conservation of our resources is the fundamental question before this nation and that our first and greatest task is to set our home in order and begin to live within our means.

## Permanent Welfare.

The first of all considerations is the permanent welfare of our people; and true moral welfare, the highest form of welfare, cannot permanently exist save on a firm and lasting foundation of material well-being. In the respect our situation is far from satisfactory. After every possible allowance has been made, and when every hopeful indication has been given its full weight, the facts still give reason for grave concern. It would be unworthy of our history and our intelligence, and disastrous to our future, to shut our eyes to these facts or attempt to laugh them out of court. The people should be made fully and honestly aware of the situation. After every possible allowance has been made, and when every hopeful indication has been given its full weight, the facts still give reason for grave concern. It would be unworthy of our history and our intelligence, and disastrous to our future, to shut our eyes to these facts or attempt to laugh them out of court. The people should be made fully and honestly aware of the situation.

## Serve the People.

We know now that our rivers can and should be made to serve our people effectively in transportation, but that the vast expenditures for our waterways have not resulted in maintaining, much less in promoting, inland navigation. Therefore, let us take immediate steps to ascertain the reasons and to prepare and adopt a comprehensive plan for inland-waterway navigation that will result in giving the people the benefits for which they have paid, but which they have not yet received. We know now that our forests are fast disappearing,

that less than one-fifth of them are being conserved, and that no good purpose can be met by failing to provide the relatively small sums needed for the protection, use and improvement of all forests still owned by the government, and to enact laws to prevent the wasteful destruction of the forests in private hands. There are differences of opinion as to the many public questions, but the American people stand nearly as a unit for waterway development and for forest protection.

We know now that our mineral resources once exhausted are gone forever, and that the needless waste of them costs us hundreds of human lives and nearly \$300,000,000 a year. Therefore let us undertake without delay the investigations necessary before our people will be in a position, through state action or otherwise, to put an end to this huge loss and waste, and conserve both our mineral resources and the lives of the men who take them from the earth.

## A Great Step.

I desire to make grateful acknowledgment to the men, both in and out of the government service, who have prepared the first inventory of our natural resources. They have made it possible for this nation to take a great step forward. The work is helping us to see that the greatest questions before us are not partisan questions, but questions upon which men of all parties and all shades of opinion may be united for the common good. Among such questions, on the material side, the conservation of natural resources stands first. It is the bottom round of the ladder on our upward progress toward a condition in which the nation as a whole, and its citizens as individuals, will set national efficiency and the public welfare before personal profit.

## Fundamental Rights.

The rights to life and liberty are fundamental, and like other fundamental necessities, when once acquired, they tend to dwell in the mind. The right to the pursuit of happiness is the right whose presence or absence is most likely to be felt in daily life. In whatever it has accomplished or failed to accomplish, the administration which is just drawing to a close has at least seen clearly the fundamental need of freedom of opportunity for every citizen. We have realized that the right of every man to live his own life, provide for his family and endeavor, according to his abilities, to secure for himself and for them a fair share of the good things of existence, should be subject to no limitation and to no other. The freedom of the individual should be limited only by the present and future rights, interests and needs of other individuals who make up the community. We should do all in our power to develop and protect individual liberty, individual initiative, but subject always to the need of preserving and promoting the general good. When necessary, the private right must yield, under the due process of law and with proper compensation, to the welfare of the commonwealth. The man who serves the community greatly should be greatly rewarded by the community. There is great inequality of service so there must be great inequality of reward; but no man and no set of men should be allowed to play the game of competition with loaded dice.

## Building Canal.

We are building the Panama canal; and this means that we are engaged in a giant engineering feat of all time. We are striving to add in all ways to the habitability and beauty of our country. We are striving to hold in our public hands the remaining supply of unappropriated coal for the protection and benefit of all the people. We have taken the first steps toward the conservation of our natural resources, and the betterment of country life, and the improvement of our waterways. We stand for the right of every child to a childhood free from grinding toil, and to an education; for the civic responsibility and decency of every citizen; for prudent foresight in public matters, and for fair play in every relation of our national and economic life. In international matters we apply a system of diplomacy which puts the obligations of international morality on a level with those that govern the actions of an honest gentleman in dealing with his fellowmen. Within our own borders we stand for truth and honesty in public and private life; and we war sternly against wrongdoers of every grade. All these efforts are integral parts of the same attempt, the attempt to enthrone justice and righteousness, to secure freedom of opportunity to all of our citizens, now and hereafter, and to set the ultimate interest of all of us above the temporary interest of any individual, class or group.

## Attaches Some Things.

This administration has achieved some things; it has sought, but has not been able, to achieve others; it has doubtless made mistakes; but all it has done or attempted has been in the single, consistent effort to secure and enlarge the rights and opportunities of the men and women of the United States. We care for the people, we care for the good in our social system, and we are striving toward this end when we endeavor to do away

with what is bad. Success may be made too hard for some if it is made too easy for others. The reward of common industry and thrift may be too small if the reward for others, and on the whole less valuable, qualities, are made too large, and especially if the rewards for qualities which are really, from the public standpoint, undesirable, are permitted to be come too large. Our aim is so far as possible to provide such conditions that there shall be equality of opportunity where there is equality of energy, fidelity, and intelligence; when there is a reasonable equality of opportunity the distribution of rewards will take care of itself.

## Fighting Privilege.

The unchecked existence of monopoly is incompatible with equality of opportunity. The reason for the exercise of government control over great monopolies is to equalize opportunity. We are fighting against privilege. It was made unlawful for corporations to contribute money to the election expenses in order to abridge the power of special privilege at the polls. Railroad rate control is an attempt to secure an equality of opportunity for all men affected by rail transportation; and that means all of us. The great anthracite coal strike was settled, and the pressing danger of a coal famine averted, because we recognized that the control of a public necessity involves a duty to the people, and that public intervention in the affairs of a public-service corporation is neither to be resented as a usurpation nor permitted as a privilege by the corporations, but on the contrary to be accepted as a duty and exercised as a right by the government in the interest of all the people. The efficiency of the army and the navy has been increased so that our navy may follow in peace the great work of making this country a better place for Americans to live in, and our army may send round the world for the humanitary purpose. All the acts taken by the government during the last seven years, and all the policies now being pursued by the government, fit in as parts of a consistent whole.

## Public Land Policy.

Our public-land policy has for its aim the use of the public land so that it will promote local development by the settlement of home makers; the policy we champion is to serve all the people legitimately and openly, instead of permitting the lands to be converted, illegitimately and under cover, to the private benefit of a few. Our forest policy was established so that we might use the public forests for the permanent public good, instead of merely for temporary private gain. The reclamation act, under which the desert parts of the domain are converted to higher uses for the general benefit, was passed so that more Americans might have homes on the land.

These policies were enacted into law and have justified their enactment. Others have failed, so far, to reach the point of action. Among such is the attempt to secure public control of the open range and thus to convert the benefits to the user, the small man, who is the home maker, instead of allowing it to be controlled by a few great cattle and sheep owners. The enactment of the pure food law was a recognition of the fact that the public welfare outweighs the right to private gain, and that no man may poison the people for his private profit. The employers' liability bill, designed to control the fact that while the employer profits, the employee has no more than his profit, the stake of the employee is a living for himself and his family.

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# NAVY MEASURE ROOT APPEARS PROVOKES DEBATE

OPPOSITION TO APPROPRIATION  
BILL MAKES VALIANT FIGHT  
BUT IS DEFEATED.

## PASSES WITHOUT CHANGE

Those Opposed to an Increase in the  
Marine Fighting Facilities of the  
Country Doggedly Assail Program  
for Next Fiscal Year, But Their  
Strength Is Overestimated.

Washington, Jan. 22.—Exactly as reported by the committee, the naval program for the fiscal year 1910 was today adopted by the house and the naval appropriation bill was passed. The opponents of the navy increase feature of the bill found themselves in a hopeless minority. The only vital alteration made in the measure was the striking out of provisions restoring marines to naval vessels. The aggregate amount appropriated by the bill is \$135,000,000. The increase in the naval estimate gave rise to extended debate, in which members were afforded an opportunity to air their views on the Japanese question. The peace advocates were much in evidence in opposition to the increase, while the adherents of the bill were alive at all times, to every move made to cut down the number of vessels authorized.

## Not Necessary.

"It is not necessary," he said, "because we are at peace with all the world." Representative Tawney, chairman of the house committee on appropriations, vigorously attacked the program for naval increase, declaring that the Japanese agitators only desire to have the naval program adopted. He declared there was no danger of trouble between Japan and the United States, and that without a naval base in the mid-Pacific Japan could do little damage to this country. He contended that Japan could not impose a farthing tax without causing a revolution in that country. Mr. Tawney, in his remarks, predicted a deficit of \$125,000,000 for the fiscal year and of \$143,000,000 for the next.

## Finds Reason.

Replying to Mr. Tawney Mr. Hepburn (Iowa) found reason for the increase of the navy in the warlike character of the American people. The Finley amendment was defeated, as was also an amendment by Mr. Burton (Ohio) to limit the naval increase to one battleship. The house then sustained the committee provision of the naval bill calling for two battleships and refused to strike out the provision for five torpedo boat destroyers.

## An Impossibility.

Mr. Cockran, New York, said it was impossible for two races to live together on terms of equality. He spoke of the growing numbers of "an alien race" on the Pacific coast and predicted that it would be impossible to get the Japanese to sign a treaty of exclusion. In that event it would be necessary for congress to pass an exclusion act, and that, he predicted, would be accorded by the other countries as a hostile demonstration.

## DROWNS IN RIVER.

Special to The Daily Missoulian.  
Wallace, Jan. 22.—The body of John Kookie, a Finlander, 40 years of age, was found in the waters of the South Fork in the rear of the railroad station at Kingston this morning. The man was drunk Thursday night and evidently fell off the bank of the river and drowned in about two feet of water. He had been working as Kingston as a laborer, but nothing is known concerning his relatives. He will be buried at Wallace.

## FOUR SELECTED.

San Francisco, Jan. 22.—In the effort to complete a jury to try Patrick Cathoun upon a charge of bribery, 300 citizens have been summoned and examined as to their qualifications, and four talesmen have been temporarily passed to places in the jury box. Tomorrow the court will undertake the examination of the third panel.

## SHAHAN MAY SECURE CATHOLIC RECTORSHIP

Washington, Jan. 22.—Rev. Thomas J. Shahan of Hartford, Conn., it is stated in well-informed circles, has been selected to succeed Bishop Demas J. O'Connell as rector of the Catholic University of America. Bishop Carroll had originally been spoken of for the position, but was unwilling to give up his work in Montana. Dr. Shahan holds the chair of the church history at the university. He is one of the editors of the Catholic Encyclopedia and is considered one of the most scholarly men in the American church.

# AT SCANDAL INQUIRY

SECRETARY OF STATE IS CHIEF  
WITNESS BEFORE FEDERAL  
GRAND JURY.

## MR. KNOX ALSO TESTIFIES

Prominent Officials Give Evidence in  
Libel Investigation But Decline to  
Furnish Any Intimation as to Na-  
ture of Their Testimony—Subpoe-  
nae Are Set Aside in New York.

Washington, Jan. 22.—"I simply brought my subpoena with me," jokingly remarked Secretary of State Elihu Root, who today was one of the chief witnesses before the United States grand jury in its investigations of the alleged libel in connection with the purchase of the Panama canal. The secretary made the remark to newspapermen who sought to interview him a few minutes before he went into the grand jury room.

Senator Knox of Pennsylvania and Assistant Attorney General Charles W. Russell also gave testimony. All declined to throw any light on the nature of their testimony. The grand jury was in session about three hours today and adjourned to meet tomorrow morning. The larger part of the morning was taken up by the grand jury in listening to the reading by Assistant United States Attorney McNamara of the various alleged libelous articles which appeared in the New York World and the Indianapolis News for several weeks preceding the recent presidential election.

## A Busy Scene.

The district attorney's office presented a busy scene today, a large force of clerks being engaged in marking for ready reference copies of the newspapers containing the alleged libelous matters in connection with the purchase of the Panama canal. The district attorney has been furnished with copies of the New York World and Indianapolis News.

Senator Knox of Pennsylvania, accompanied by his private secretary, appeared this morning, and ushered into the district attorney's office. It was learned that the senator had volunteered to appear before the grand jury, as it is not possible to subpoena a senator during a session of congress. He declined to state the nature of his testimony.

## Are Set Aside.

New York, Jan. 21.—The subpoenas served upon J. Angus Shaw, secretary of the Press Publishing company, and William P. McLaughlin, sporting editor of the New York World, at the beginning of the federal grand jury's investigation in connection with the alleged libelous statements regarding the Panama canal purchase were set aside by Judge Ward of the United States court today. The validity of the subpoenas were contested because they did not name the parties to the proceedings, but the subpoenas were set aside by the government of the United States. Under subpoenas thus setting forth the parties to the action other employees of the Press Publishing company, publishers of the World, have appeared before the grand jury and given their testimony. The federal grand jury, which has been taking the testimony of witnesses in the case, was not in session today, having adjourned until Monday.

## DRINK ALL CHAMPAGNE TWO TOWNS POSSESS

Special to The Daily Missoulian.  
Helena, Jan. 22.—In the Frankhauser trial today witnesses for the government told of the stay in Butte of Frankhauser and McDonald. A woman testified in regard to a trip she and another woman made with the alleged train robbers to Salt Lake and also to Spokane. A Butte detective told of drinking with the men and a Butte saloon keeper told of their arrest in that town on a disturbance charge and how they were released the following morning. A Bonners Ferry saloon keeper recounted the story of the carousal of the two at his place in October, 1907, and how they consumed in three days all the champagne in his town and at Sandpoint.

## HOLDUP FOUND GUILTY.

Special to The Daily Missoulian.  
Butte, Jan. 22.—After trying for 18 hours to arrive at an agreement as to the punishment to be meted out to M. J. Meaney, self-confessed robber and attempted murderer, the jury returned into court this morning with a verdict of guilty, leaving the punishment to the court. All of the efforts of the defense was to have 13 men pronounce sentence instead of the judge and in this manner the defense was defeated. Sentence will be pronounced Tuesday morning.