

# WHITMAN DIRECTED TO PRODUCE CAUSE

### In Spite of the Firmness of the Governor, Friends of Condemned Gunmen Gain a Point and a Writ Is Issued by the Court.

New York, April 10.—Supreme Court Justice Goff signed an order tonight making it mandatory for District Attorney Whitman to show cause why the four gunmen now in Sing Sing awaiting death in the electric chair for the part they played in the murder of Herman Rosenthal, the gambler, should not be granted a new trial.

The order is returned before Justice Goff, who presided at the trial of the gunmen, at noon tomorrow and was obtained upon the ground that new evidence had been discovered.

This new evidence, in the form of affidavits, was presented to Justice Goff by Charles G. F. Wable of counsel for the condemned men.

The order was served upon District Attorney Whitman tonight and preparation of arguments to show why the gunmen should not be granted a new trial was immediately begun. A sharp legal battle is expected before Justice Goff when the order is returned.

The two principal affidavits were urged Justice Goff to consider before the latter signed the order were those of William E. Burwell of Waterbury, Conn., and Karl Dresner, a bartender of New York.

have been dispatched by messenger had failed to arrive tonight. It was understood that the latter message set forth alleged new evidence tending to implicate Harry Valton, Bridge Webster, Sam Schepps and Jack Rose and to exonerate the convicted gunmen. Attorneys for the gunmen in New York today said they intended to produce this evidence in a supreme court and lay it before the governor in a final effort to obtain a stay of execution.

Besides receiving the memorandum, the governor today heard a personal appeal for the gunmen from Mrs. William Vanamee of Newburgh, the wife of an attorney for the convicted men. Mr. Vanamee was to ill to appear in person. Mrs. Vanamee was accompanied by the mother of "Lefty Louie" Rosenberg, but the executive remained firm in his decision not to talk with any of the relatives of the condemned men and saw Mrs. Vanamee alone.

Her appeal was based mainly on an appeal to his conscience. She asked a 10-day stay. The governor's answer was that his decision was final.

One of the arguments which had been made to the governor has been that he should not allow the four gunmen to die during the Feast of the Passover, inasmuch as three of them, all except Croftel, are Jews. It is within the legal right of Warden Clancy of Sing Sing to delay the execution until after that period of fasting has passed if he desires. The feast started at sundown tonight and orthodox Jews celebrate it for eight days. The court of appeals sentenced the gunmen to die in "the week beginning April 13." Thus the holiday will end next Saturday night at sundown and the execution would not have to take place, according to law, until midnight Saturday night. Saturday, however, being the Jewish Sunday, there has been severe objection made to the executing of the men on that date.

### Governor Is Firm.

Albany, N. Y., April 10.—A memorandum of the cases of the four gunmen sitting forth, in the main, a reputed alibi for "Dago Frank" Croftel, which was forwarded to Governor Glynn today by C. G. F. Wable, their attorney, failed to change the executive's position in his refusal to grant them a reprieve.

"I have received and read your supplemental application in the case of your clients," the governor telegraphed Wable tonight. "I find nothing therein which I had not previously considered and nothing to justify a change of my decision."

This communication came to the governor by mail. Another said to

# UNWILLING WITNESS DELAYS THE TRIAL

### INQUIRY INTO THE NEW HAVEN RAILWAY CASE IS BLOCKED BY COMPANY.

Washington, April 10.—Mandamus proceedings to compel the production of books and papers to disclose financial dealings between the New Haven railroad and the Billard company will be started by the interstate commerce commission, it is announced officially. Further inquiry into the financial affairs of the New Haven railroad by the interstate commerce commission began today, after an investigation of the company's books. The inquiry is being made in compliance with a senate resolution passed by the House of Representatives last week. The principal subject today was the relation of the Billard company to the financial operations of the New Haven, Harry V. Whipple, a banker of New Haven, Conn., first witness, refused to testify as to business relations with the Billard company. He said he is not now a stockholder in the company but had been up to last fall. He refused to tell when he sold his stock, because the question invalidates his personal rights. His attorney, doubtless, that the commission or the court had authority to inquire into the Billard company.

"Suppose," suggested Chief Counsel Folk of the commission, to Whipple and his attorney, "that it can be shown that the Billard company owes the New Haven railroad many thousands

of dollars, do you think it would be desirable to conceal this fact, in view of the senate's desire for information?"

"I think that the senate resolution has gone far beyond the powers of either this commission or of congress," replied counsel for Whipple.

A series of questions were put to Whipple and intended to develop evidence of financial relations between the Billard company and the New Haven railroad. Whipple declined to answer any questions. Whipple said he was not prepared to produce the books of the Billard company, which had been subpoenaed to bring with him.

To Samuel Hearnshaw, also a banker of New Haven, a similar line of questions were put. He declined to answer, because his attorney said the questions were beyond the powers of the commission.

A. E. May, treasurer of the New Haven railroad, testified that John L. Billard of the Billard company gave him a note to the New England Navigation company for \$2,742,500 in a transaction in connection with the acquisition of Boston & Main stock. May said he knew nothing about \$1,000,000, said to have been turned over by the New England Navigation company to Billard.

### HE'S ALWAYS BLUE.

New York, April 10.—The bluest man on the steamship St. Louis, in from Europe, was Fred Walters. Incidentally he was the most cheerful. Walters is blue in the face, and says he is blue all over. He wears a red mustache sprinkled with gray.

"It comes from a valvular disease of the heart," he said, "and the doctors tell me that mine is the only case in medical annals of an adult. Infants have been known to turn blue after their birth, but they don't live. I began turning blue 18 years ago. I have been getting bluer and bluer every year."

# Hackett After Big Estate

New York, April 10.—James K. Hackett, the actor who has figured in many a mimic battle for kingdoms and things like that, on the stage, may soon find himself in a real life legal battle for something worth as much as some kingdoms—namely, about \$1,500,000 of the \$2,500,000 fortune of his niece, Mrs. Minnie Hackett Trowbridge who died recently.

Unless a successful fight against Hackett is made by other heirs, the greater part of Mrs. Trowbridge's estate will go to the actor, even though his niece hated him. This is because a will she made before 1910 became non-valid because of the death of her husband, who was the chief beneficiary. After her husband's death she suffered an illness which made her mentally incompetent, and therefore not legally qualified to make another will.

Mrs. Trowbridge, in occasional lucid periods, realized this and commented upon it with regret. She disliked the actor so much that she would not have any communication with him.

On the face of things it appears that the actor has a clear title to the fortune and cannot be deprived of it. But there is at least one possibility that he will have to fight.

Within a few days, it is said, a will drawn up within the last three years by Mrs. Trowbridge will be offered for probate. This will, it is said, cuts Mr. Hackett off absolutely and leaves the estate to more distant relatives. If this will really is presented the contention will be:

True, it was written and signed by



JAMES K. HACKETT.

a woman pronounced mentally incompetent, but—and this is the point—it was made in one of the lucid periods which medical experts will say she had.

Hackett plans to go to Europe six weeks hence to act for moving pictures.

# WALSH OPENS TALK CHURCHES OBSERVE ON RADIUM BILL GOOD FRIDAY AS USUAL

### MONTANA SENATOR PROPOSES TO URGE PROMPT ACTION ON MEASURE.

Washington, April 10.—Debate in the senate on the bill for the governmental control of the radium bearing lands of the west was opened today by Chairman Walsh of the mines committee. Emphasizing the importance of the measure, Senator Walsh said radium bearing lands were not only to be found in Colorado and Utah, but in Montana and probably would be found in other states. He added that the bureau of mines and two eminent doctors were conducting experiments in the methods of producing radium, which if successful, would be given to the public.

The senator prefaced his remarks by reading a published statement given out by Gifford Pinchot, president of the American Conservation association, denouncing amendments made in the senate mines committee as designed to serve the interests of radium land monopolists. The intimations and charges in the statement, Senator Walsh said, were utterly unfounded and improper.

### IMPRESSIVE SERVICES IN THE GREAT CITIES OF THE EAST AND IN ROME.

New York, April 10.—Today, Good Friday, with its impressive services in the Episcopal and Roman Catholic churches, closed the penitential season which precedes the great Christian festival and holiday of Easter. Old Trinity and St. Paul's chapel in Broadway, St. Patrick's Cathedral in Fifth Avenue and other of the leading churches were thronged for the special services and the notable programs of religious music which accompanied them. In addition to the church services the observance of the day was marked by a closing of the public schools, the banks and the leading exchanges. The observance is general all over America.

In Chicago, Ill., April 10.—The closing of the banks, the Board of Trade and the Stock Exchange marked the observance of Good Friday in Chicago. Special services were held in the Catholic churches and in many Protestant churches, with special observances of the hours between 12 and 3 o'clock in the afternoon.

In Rome. Rome, April 10.—The number of visitors now in Rome for the Holy Week celebrations has seldom been exceeded in recent years. All nationalities are represented in the throngs of pilgrims and sightseers that fill the city. At the Good Friday services today the various churches were taxed to their utmost capacity to accommodate the crowds that sought admittance.

### Walsh Will Push Bill.

Washington, April 10.—(Special.)—Senator Walsh today received a telegram from State Mine Inspector Orem, stating that radium-bearing ores have been discovered in various parts of Montana, but that the industry has not reached beyond the prospecting stage. The information was sent in reply to an inquiry from Senator Walsh, who questioned the reliability of an alleged telegram published in eastern papers under Bitte date line, stating that discoveries of radium had been made in Montana. Senator Walsh will endeavor to push the radium bill to a conclusion in the senate Monday.

### CLIP IN BEAVERHEAD GOES AT GOOD PRICE

Dillon, April 10.—(Special.)—William Bernstorn, who in the local market for the Silverman & Sons, wool dealers of Chicago, has been an active buyer in the local field the past week, having purchased four clips in this county and two in Fremont county, Idaho, totaling about 225,000 pounds, ranging from 16 1/2 cents up in price. The clips purchased in Beaverhead county were those of the Ames Sheep company, the Cook Sheep company, William Stewart and Pederson Brothers.

### WORKMAN IS KILLED IN HEROIC SACRIFICE

Tacoma, April 10.—Sacrificing his life to save a brother workman, Winfield Scott Clark, Jr., aged 26, fell to his death yesterday from a high bridge at Castle Rock, Wash., on which he was employed as an ironworker by the Northern Pacific Railway company. Clark saw an iron beam about to fall on another workman and reached out to divert it. Losing his balance, he fell 55 feet, striking the rocks within a few feet of the river. His neck was broken and death was instantaneous. He was the only son of a widowed mother in Tacoma.

### NO WITNESSES.

Washington, April 10.—Consideration by the senate committee on inter-oceanic canals of the proposed repeal of Panama canal toll exemption for American ships was interrupted today by lack of witnesses and further formal discussion of the issue was postponed until Monday.

### SUICIDE.

New York, April 10.—Edward Knauer, a prominent attorney, once associated in practice with President Chester A. Arthur, killed himself in his office today by shooting. A letter to his wife said financial troubles and failing health made life no longer worth living.

### HOPE ABANDONED.

New York, April 10.—All hope of curing cancer by radium has been abandoned by some of the foremost surgeons and research workers of the country who declared at tonight's meeting of the American Society for the Control of Cancer that the failures of radium outnumber the cures 100 to 1.

### Baby Doll strap pumps in heavy street sole, in patent and guns, are very popular. Our stock of low heel shoes is greater than ever. Mapes & Mapes.

# BIG AGRICULTURAL LAND OPENING

TWELVE HUNDRED AND FIFTY TRACTS of five and ten acres each to be granted to prospective settlers in throwing open Twenty Thousand Acres of Rich, Southern Georgia Land, which is admirably adapted to the growing of celery, sweet and Irish potatoes, cantaloupes, watermelons, corn, oats, cotton, hay—in fact, all staple crops grown in this fertile section, as well as a large variety of semi-tropical fruits, and the famous immensely profitable paper-shell pecan.

Providing you are eligible under the classifications prescribed by one set are now offered an excellent opportunity to break away from the drudgery and toil of a small wage, or working for the benefit of landlords, and go back to a land of plenty, to which, if granted, you will hold a warranty deed and abstract.

The best security on earth is the earth itself, and land is the basis of all wealth. Owners of productive lands are benefiting by the increasing high cost of living, while others are suffering from it.

## An Opportunity to Secure Rich Productive Land Without Capital

You will not be required to leave your present surroundings now. All we ask of those to whom we grant tracts is that they plant, or arrange to have planted, a crop of one of the above-mentioned products within three years, after which we will have it operated, harvested and replanted for grantees, in consideration of 25 per cent of the net profits derived from the sale of the crops, thereby allowing the grantee to pursue his or her present occupation until such time as they determine just what the yield of their acres amount to. Consider what this may mean as a source of income, when statistics show that the yield of one acre of celery amounted to \$1,250.00, and that one acre of well-cared-for paper-shell pecans, in full bearing, should net its owner as high as \$500.00 per year. We are of the opinion that after it is proven by actual results obtained in operating the land that they will need no further urging, and waste no time in locating in this land of plenty. We also require grantees to occupy the land within ten years, or sell it to some one who will occupy it; otherwise it reverts back to the grantor.

The land included in this opening is located directly on and adjoining the Atlanta, Birmingham and Atlantic railroad, about twenty-five miles west of Brunswick, a thriving city of fifteen thousand, having direct steamship service to New York and Boston, and excellent railroad transportation facilities to all points. The average temperature for six months of the year, from April to October, is 77 degrees; the climate is most beautiful, delightful and invigorating, and there is an ample rainfall of 51 inches per year.

OUR AIM IS FOR MUTUALLY BENEFICIAL RESULTS. As we are extremely desirous of having settlers locate on this property, and assist in its development, and thereby improve the value of surrounding and intervening property, which we will hold, we will make every effort to facilitate the service, we feel warranted in granting these tracts to those who register with us. We will offer in mind business and residence plots which we will offer for sale after the opening, but which will not be included in it. We have "money-making afterward" considerations in this liberal-minded opening similar to those of the Northern Pacific and other railroads when they granted their lands, and we expect to benefit thereby, as well as the ones who will receive the tracts.

We have also planned to develop what is designed to be the best equipped, most up-to-date, scientific, commercial farm and orchard in existence. It will consist of six thousand acres, and will be included in this opening. All who register and receive tracts will get the benefit of the experiments and scientific methods in vogue thereon. While we are arranging to prevent over-registration, we will avoid many disappointments, such as occurred in other land openings conducted by the United States government and railroads, by granting those who register in excess of the number of tracts to be granted, an interest in this commercial farm and orchard enterprise, in the hope that they may later locate in one of our town sites.

Examination of the land will cheerfully be permitted, and the opening will be at Brownstown, Wasque county, Georgia, one of the stations of the A., B. & A. railroad, which is located on this property, and will occur as soon after the closing of registrations as arrangements can be made.

The presence of those registered will not be necessary at Brownstown on the opening day, unless they wish to attend, for there will be no favoritism shown anyone. It will be conducted by a committee selected for the purpose, and those registered will be notified of what they have been granted, as soon as possible.

With the ever-increasing population of this country there is no corresponding increase in the area of land, and naturally as the population increases and seeks the land in pursuit of health, happiness and independence, it will continue to be harder to secure.

The prosperous and contented class in Europe today are the descendants of those who secured land here when it was plentiful, while the descendants of those who obtained no land are now the peasants and slaves. You must realize that this may be your last chance to secure land in this country without a large outlay of capital, as it should not be necessary to urge you to act at once by forwarding us the application for registration attached to this announcement.

SOUTHERN GEORGIA RAILROAD-LAND DEVELOPMENT BUREAU, COLORADO BUILDING, WASHINGTON, D. C.

Southern Georgia Railroad-Land Development Bureau, Registration Department, Washington, D. C.

I hereby make application to register for your Fifth and Agricultural Railroad-Land Opening, and furnish you with the correct answers to the following questions:

Name \_\_\_\_\_ City \_\_\_\_\_  
 State \_\_\_\_\_ Street or R. F. D. No. \_\_\_\_\_  
 Age \_\_\_\_\_ Married or Single \_\_\_\_\_ Widow, Widower, or Orphan \_\_\_\_\_ Occupation \_\_\_\_\_  
 Nationality \_\_\_\_\_ Do you now own over ten acres of land in the United States? \_\_\_\_\_  
 If my application for registration is accepted, please send me, without obligation, further and complete information and particulars, including maps of the land, showing its exact location on the Atlanta, Birmingham and Atlantic Railroad, its transportation facilities, agricultural, fruit and nut-growing possibilities, etc.

Very truly yours, \_\_\_\_\_  
 Signature \_\_\_\_\_

# Big Horse Sale

AT MISSOULA

## Saturday, April 11

The Lumber department of the Anaconda Copper Mining company will sell, at public auction,

### 50 Head of Heavy Draft Horses

Sale will be held at

## MISSOULA FEED CORRAL

at Missoula, Montana, at 1 o'clock p. m.

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Mrs. Nevada Briggs, the baking expert, says:

"There is just one way to make your cakes rise high and evenly—give them time to rise before a crust is formed and the batter is stiffened by cooking."

"If using a gas, gasoline or oil stove, light your oven when you put the cake in and keep the flame low until the cake has doubled in bulk; then increase the heat until it is evenly browned and will respond to the pressure of the finger. If using a coal or wood range, leave the oven door open until the cake is in; then turn on the draft and by the time the oven is at baking temperature, the cake will have risen sufficiently."

For rich, moist, feathery cakes Mrs. Briggs always recommends

## KC BAKING POWDER

It is double acting and sustains the raise. You can open and close the oven door, turn the tin around in the oven or do anything else necessary, without any danger of making the cake fall.

Try your favorite cake next time with KC Baking Powder and see how much higher it will rise. Make it just as you always do, with the same quantity of baking powder. While KC is less expensive than the old-fashioned baking powders, it has even greater leavening strength and it is guaranteed pure and healthful.

Try a can and be convinced

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