

# The Salt Lake Tribune

SAD WILL BE THE DAY FOR EVERY MAN WHEN HE becomes absolutely contented with the thoughts that he is thinking, when there is not a faintest beam of light in his soul some great desire to do something better, which he knows that he was meant and made to do.

BROODING APPREHENSION AND CROUCHING IN THE shadows of the properties of civilized men—men who are protected by the state. The joy of revolting in his mind is possible in cities. Bolts and bars, locks and keys, soldiers and police, and a hundred other symbols of distrust, suspicion and hate, are on every man, reminding us that man is the enemy of man, and must be protected from his brother. Protection and slavery are near of kin.—Hubbard.

VOL. LXXX, NO. 19.

WEATHER TODAY—Partly cloudy.

SALT LAKE CITY, UTAH, TUESDAY MORNING, NOVEMBER 2, 1909.

16 PAGES—FIVE CENTS.

## SUPREME COURT TO IMPOSE SENTENCE

### Proceeding Unusual in Legal Annals Grows Out of Now Famous Shipp Case.

### OFFICERS ALLEGED TO HAVE PART IN LYNCHING

### Intense Interest That Court Has Taken Leads to Fear of Severe Sentence.

WASHINGTON, Nov. 1.—The unusual proceeding of an arraignment for sentence at the bar of the supreme court of the United States will be witnessed two weeks from today, in accordance with an announcement made today in the cases of Joseph H. Shipp of Chattanooga, Tenn., and five co-defendants, charged with contempt.

The cases originated in the court's decision in March, 1906, to hear the appeal of a negro, Ed Johnston, from a verdict of the Tennessee courts, holding him guilty, and sentenced to be hanged on a charge of criminal assault. The night after the determination of the supreme court to review the proceedings in the case was wired to Chattanooga, where Johnston was confined in jail, a mob stormed the jail and took him out and lynched him.

### Court Prompt to Act.

The court was incensed, and at its instance the attorney general instituted proceedings against Shipp, who was the sheriff, and twenty-five others, including the jailer, supposed to have been implicated in the lynching, charging them with contempt of the supreme court. Six were found guilty. These were Sheriff Shipp, his deputy, Jeremiah Gibson, who was the jailer; Luther Williams, Nick Nolan, Henry Padgett and William Mayes, residents of Chattanooga.

The defendants entered motions for a rehearing, which had the effect of postponing action until the present term. The court today, through Chief Justice Fuller, announced its denial of the motions, the chief justice at the same time ordering the defendants to appear on November 15 to receive sentence.

### Sentence Problematical.

The court has the discretion either to fine or imprison the men or to inflict both penalties. It is only known that the court has appeared exceptionally interested in the case and is believed to feel that an example must be made. It is recalled, however, that several of the members of the court, among whom was the late Justice Tamm, dissented from the decision, which may have the effect of lessening the severity of the sentence.

The only instance of a sentence for contempt in the court's history occurred in 1875, when John Chiles, who was concerned in dealings in Texas indemnity bonds contrary to an order of the court, was ordered to pay a fine. All the defendants assert innocence. Shipp and Gibson declare there was no advance indication of violence to Johnston and say that otherwise they would have proceeded to shoot him. Some of the men implicated claim not to have been present when the negro was killed by the mob.

## WILL PUSH WORK ON PAYETTE-BOISE PROJECT

### Special to The Tribune.

WASHINGTON, Nov. 1.—It has been decided by the reclamation bureau that the Payette-Boise irrigation project will be carried out in a certain manner, the extent of which, however, has not yet been determined.

The small laterals comprising the tributary system are now in course of construction on several parts of the project and will be ready for use in the irrigation season of 1910.

## EMBASSADOR WHITE DECLINES HIGH HONOR

PARIS, Nov. 1.—On the occasion of his retirement from his post here, the French government has offered American Ambassador White the grand cross of the Legion of Honor, the highest decoration within its gift.

## \$2,000,000 BUILDING IS DECLARED UNSAFE

NEW YORK, Nov. 1.—The criminal court's building, built at a cost of \$2,000,000, is said to have been declared unsafe by the engineers of the bureau of building.

## Leopold's Birthday

BERCHTESGADEN, Bavaria, Nov. 1.—Prince Leopold of Bavaria today celebrated his eighty-eighth birthday and the seventieth anniversary of his appointment as Lieutenant of Artil-

## BLOODY ELECTION SEEMS PROBABLE

### Breathitt County, Kentucky, Scene of Strife That Requires Militia to Quell.

### REPUBLICAN JURIST CALLED OUT SOLDIERS

### Democrats Claim Their Political Opponents Are Trying to Steal the Election.

JACKSON, Ky., Nov. 1.—With a large number of state militia in control and an undercurrent of apprehension over the tense situation, people were wondering tonight what the election would bring forth for "Bloody Breathitt." Both Democratic and Republican managers charge each other with trying to steal the election.

Circuit Judge J. P. Adams, the incumbent and Republican candidate for reelection, who made the request on Governor Willson for militia to preserve order during the election, said tonight:

"In requesting troops I was heading the appeals of the good people to take immediate action to prevent a conflict and to preserve peace and order among the people. Men led by Ed 'Caliban' armed with rifles, were in the upper story of the old Hargis building and were issuing threats of death against citizens and officers, and they had commenced to terrorize the town by shooting in the streets, when I sent the message to the governor for troops.

Not Wait for Bloodshed. "I felt it my duty not to wait until men were killed before taking steps to bring about peace and good order, and I have no doubt that the presence of the troops prevented serious trouble, and perhaps saved many lives. The first thing is to prevent murder and assassination, let the election go as it may. I care nothing for the indignation expressed by some at the presence of the troops if I can save their lives from the assassins."

O. H. Pollard, chairman of the Democratic committee, said:

"Published reports that the Democrats have combined with the whiskey forces and have done anything to precipitate election troubles are untrue. The Republicans have determined to defeat a fair election and to resist any fraud they could conceive in order to defeat the will of the people.

Claims Major Support. "A large majority of the people are supporting the Democratic nominees. The excitement was caused by the action of a fair election and to resist any fraud they could conceive in order to defeat the will of the people.

Use of Force Charged. "We prepared warrants for the clerk and when Sheriff Crawford went to arrest Sebastian he was confronted with an armed force twenty strong, who defied the sheriff.

All this trouble was brought about by Republican officials in their determination to take the election. Their action in respect to ballots and the presence of soldiers under command of Judge Adams, who refused to put them under command of Sheriff Crawford, as required by law, has created indignation on the part of the law-abiding citizens, irrespective of party."

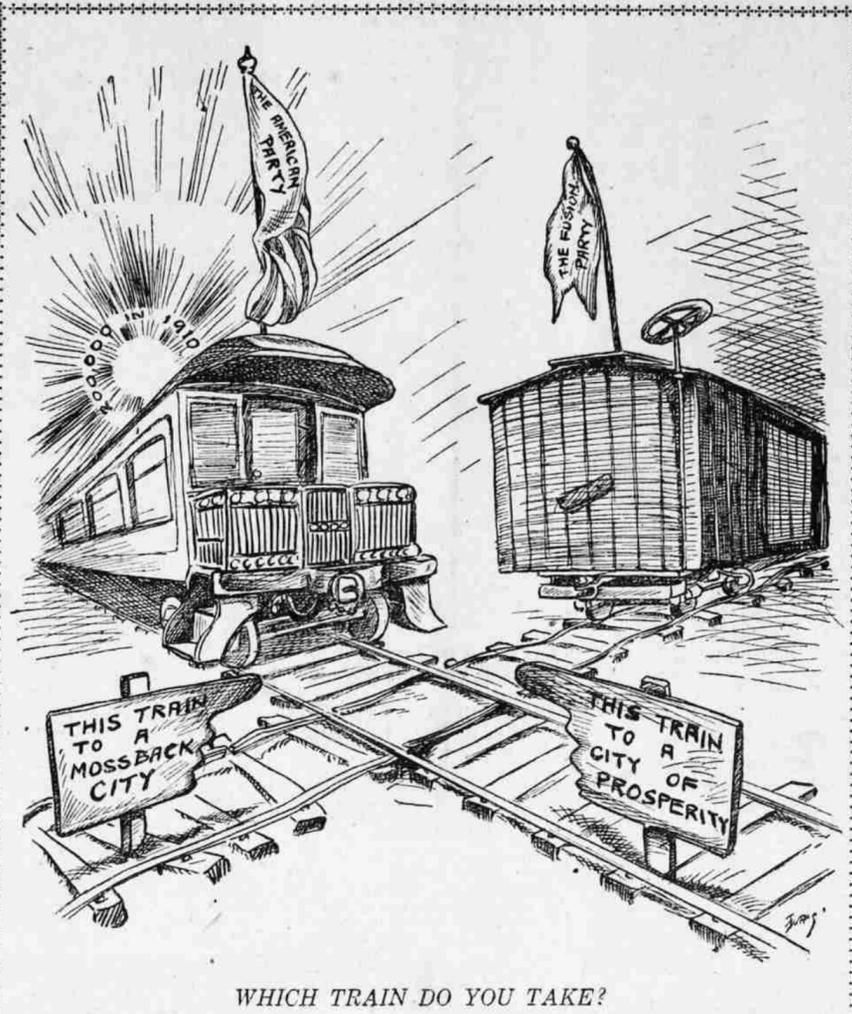
The group of armed Kentucky mountain men headed by former Sheriff Callahan left their encampment in Jackson shortly after the arrival of the Lexington militia company and tonight the soldiers had followed them twenty-two miles into Crockettville, the home of Callahan and the voting precinct that is expected to furnish most of the excitement tomorrow.

The population is quiet, but inclined to wait anxiously word from Crockettville, where the soldiers, and Callahan and Smith and Denton factions are also stationed.

Seems today on the streets of Jackson, the capital of the Hargis political wars of a few years ago and the feudal center of the United States, were thrilling calls from the two districts, the two women relatives to ward off an assassin's bullet, which he daily lives in fear of, was perhaps the most prominent feature.

Circuit Judge Adams, the Republican candidate for reelection and Judge D. E. Redwine, his Democratic opponent, harangued an audience in the courthouse of Breathitt, in which feudists, soldiers and peaceful citizens were strongly mingled.

WASHINGTON, Nov. 1.—Two small earthquake disturbances which occurred yesterday morning were found recorded on the seismograph of the weather bureau and the coast and geodetic survey today. Of the two disturbances, which apparently were of separate origin, the second was the more severe and was about 4,500 miles from Washington.



## ADDITIONAL PROOFS SUBMITTED BY PEARY

### National Geographic Society Begins Its Long Examination of Explorer's Records.

WASHINGTON, Nov. 1.—Bringing with him additional proofs of his discovery of the north pole, not included in the records previously sent to the National Geographic Society, Commander Robert E. Peary slipped into Washington today from New York City.

His coming was at the request of the society, whose sub-committee, consisting of Rear Admiral Colby Chester, U. S. N.; Henry Gannett, of the Geological survey, and O. H. Tittman, of the coast and geodetic survey, today began its examination of Peary's Arctic records.

Commander Peary appeared personally before the sub-committee and submitted records which he had heretofore refused to permit out of his custody.

The sub-committee will not conclude its examination of the data within two months, when a report will be made on the one point under consideration—whether Peary reached the north pole on the date claimed.

Plague Still Rages. AMOY, China, Nov. 1.—It is officially reported that there were fifty-two deaths from cholera and seventy-eight deaths from bubonic plague in this city during the fortnight ending Saturday.

## Index to Today's Tribune

Departments.	Page
Editorial	1
Minutes	2
Markets	3
Intermountain	4
Local	5
Domestic	6
Sporting News	7
International	8
Special	9
Editorial	10
Minutes	11
Markets	12
Intermountain	13
Local	14
Domestic	15
Sporting News	16
International	17
Special	18
Editorial	19
Minutes	20
Markets	21
Intermountain	22
Local	23
Domestic	24
Sporting News	25
International	26
Special	27
Editorial	28
Minutes	29
Markets	30
Intermountain	31
Local	32
Domestic	33
Sporting News	34
International	35
Special	36
Editorial	37
Minutes	38
Markets	39
Intermountain	40
Local	41
Domestic	42
Sporting News	43
International	44
Special	45
Editorial	46
Minutes	47
Markets	48
Intermountain	49
Local	50
Domestic	51
Sporting News	52
International	53
Special	54
Editorial	55
Minutes	56
Markets	57
Intermountain	58
Local	59
Domestic	60
Sporting News	61
International	62
Special	63
Editorial	64
Minutes	65
Markets	66
Intermountain	67
Local	68
Domestic	69
Sporting News	70
International	71
Special	72
Editorial	73
Minutes	74
Markets	75
Intermountain	76
Local	77
Domestic	78
Sporting News	79
International	80
Special	81
Editorial	82
Minutes	83
Markets	84
Intermountain	85
Local	86
Domestic	87
Sporting News	88
International	89
Special	90
Editorial	91
Minutes	92
Markets	93
Intermountain	94
Local	95
Domestic	96
Sporting News	97
International	98
Special	99
Editorial	100

## QUADRUPLE MURDER IS THEORY OF POLICE

BLUEFIELD, W. Va., Nov. 1.—The charged bodies of four members of the family of George Hood, an aged white man, were found today in the ruins of the Hood home at Harper. The home was destroyed by fire last night, for the purpose, the police believe, of covering up a quadruple murder. Robbery is believed to have been the motive for the crime.

## ROASTED ALIVE AS HE PLEADS FOR AID

### Caught Under Wreckage in Fall of Snowshed, Brakeman Is Victim of Flames.

REDDING, Cal., Nov. 1.—Conductor Edward F. Richardson of Dunsmuir, Cal., was killed and brakeman Charles Neate of the same place was burned to death in the wreckage when the rear part of a freight train on the Southern Pacific was caved upon early today in a tunnel between Keswick and Coram.

Brakeman Neate, inextricably fastened in the wreckage, remained conscious and when he saw the flames from the burning freight cars creeping near, begged the bystanders to cut off his legs to free him from the twisted rods that held him down, but they were powerless to help him. The flames crept near and nearer and finally incinerated the doomed man, while the other members of the train crew stood by in horrified helplessness.

When the tunnel caved the caboose occupied by Conductor Richardson and brakeman Neate was almost completely buried under a mass of earth and rocks, and with the overturning of the stove the wreckage immediately caught fire.

Movement of Bullion. LONDON, Nov. 1.—Bullion amounting to \$10,000 was taken into the Bank of England on balance today.

## An Early Vote Aids District Organization

Americans should realize the advantage that comes to election day organization by going to the polls as early as possible. All who can do so should not overlook this matter. If the full vote is cast before noon it will greatly facilitate the work of the district chairmen and their assistants and enable them to devote the afternoon in rounding up the stragglers.

All who possibly can should walk to the polls. But those who can not should make appointments as soon as possible, so that there may be no delay when carriages or automobiles call.

THE TRIBUNE ESPECIALLY WISHES TO URGE AMERICANS TO VOTE EARLY. IT IS ALWAYS A DANGEROUS MATTER TO WAIT UNTIL LATE IN THE EVENING. FOR THE REASON THAT WHEN THERE IS CONSIDERABLE CONGESTION AT THE POLLS MORE OR LESS TROUBLE IS LIKELY TO OCCUR AND MORE OR LESS MISTAKES MADE.

Vote a straight ticket. DO NOT ATTEMPT TO MIX YOUR BALLOT BY VOTING FOR SOME ACQUAINTANCE OR FRIEND ON AN OPPOSITION TICKET. The chances are that the one you would serve would not take such a risk of losing his ballot for you.

Pull the top lever, which contains the American emblem, until the bell rings, and then do all you can to get your neighbors and friends to vote a straight ticket also.

Some are making an effort to elect George Lawrence and A. W. Peabody on the fusion tickets. DON'T BE LED INTO SUCH A POSITION. THERE ARE NO TWO BETTER OFFICIALS IN SALT LAKE CITY THAN DINNIN AND SNYDER. They should be supported by every member of the American party and every true friend of Salt Lake.

Don't listen to any trading proposition on the city ticket or on the councilman ticket. Nothing good can come to you through the proposals of your opponents to trade this man or that man for any particular candidate.

VOTE EARLY AND VOTE STRAIGHT!

## NEW YORK'S FIGHT DRAWS TO A CLOSE

### Only Casting and Counting of Ballots Remains to Decide Battle.

### ALL CANDIDATES EXPRESS CONFIDENCE OF VICTORY

### Other Municipal Elections of Importance to Be Held Throughout Nation.

NEW YORK, Nov. 1.—New York's triangular political campaign ended tonight. William J. Gaynor, Democratic candidate for mayor, made his final speech in Harlem. Otto T. Bannard, Republican and fusion candidate, closed his campaign with a noon-day address on the waterfront, and a brief talk to negro voters at a downtown Baptist church in the evening.

Hearst, Independent, wound up his formal speechmaking last night at Madison Square Garden, but some of the lesser lights burned red fire and endorsed his cause with a final burst of oratory at open-air meetings in the four corners of Manhattan tonight, while many of the minor candidates had meetings of their own in doubtful districts.

### All Express Confidence.

In each rival camp complete confidence in the result was expressed. Charles F. Murphy, Tammany leader, said:

"We are well satisfied. Gaynor will receive more votes than both the other candidates for mayor, and he will carry the whole Democratic ticket with him in every borough."

Herbert Parsons, Republican leader, said:

"Our fight against Tammany misrule has won. Reports from every assembly district in the greater city show Bannard will be elected by 50,000 plurality. The entire fusion ticket will go through."

### Claims of Hearst.

Charles H. Gehring, for the Hearst forces, said:

"Hearst will get more than 300,000 votes, winning by 100,000 plurality over the Tammany candidate. I look for a landslide to Hearst."

All three sides were agreed that about 600,000 votes would be cast, out of a total registration of 645,500. About \$125,000 was wagered on the result of the mayoralty contest in New York today. In the financial district the prevailing odds favored Gaynor by about 2 to 1.

Bannard, in his closing appeal to the voters said:

"I have fought this campaign against Tammany graft and corruption, waste, graft and improper contacts. Public improvements must be solely for the public good and not for plunder. Petty graft must be stamped out. I demand as much of personal liberty as is consistent with law and order."

### Final Word From Hearst.

The final word in the Hearst campaign came in a brief statement from the Hearst headquarters, expressing confidence in the result and promising a clean and independent government.

"The victory tomorrow is certain," the statement said. "The vote for Hearst will be enormous. It will mean the end of Tammany and a new era of government in this city."

There were big roundups of alleged repeaters today as a result of investigations of registration rolls by the state superintendent of elections. A special grand jury in the borough of Queens returned fifty indictments tonight against men said to have registered illegally.

### Will Keep Courts Busy.

Courts are prepared to handle a great volume of election-day business tomorrow. Four justices of the supreme court were assigned to sit in special term at the New York county court house. Eight other justices announced they would hear election cases in other parts of the city.

Among the watchers at the polls will be nearly 2,000 student volunteers recruited from Columbia, Yale and Princeton.

This brief but spirited campaign has been conducted largely upon the old issue of opposition to Tammany hall, but aside from the mayoralty contest there has been a bitter underlying struggle for the capture of the "board of estimate and apportionment," a body which during the next administration will control the expenditure of nearly a billion dollars, including public improvements and the annual budget, which this year is approximately \$165,000,000.

### Two Fighting Tammany.

Hearst and Bannard have conducted their campaigns largely along similar lines, both making pleas for the defeat of Tammany. Hearst entered the campaign at the last moment as a passive candidate to assist the ticket below him, but as the campaign progressed he began attacking Bannard as well as Gaynor, with the apparent hope of election. Bannard has avoided personalities and adhered to a discussion of the business issues.

Gaynor has made the campaign without a manager and without official headquarters. While endorsed by Tammany, he has declared he would be dictated to by no boss and has made personal liberty and the abolition of police corruption his chief topic.

Consistent with Bannard's speech before negro voters tonight, leaflets were distributed by a committee saying:

"A vote for the Republican fusion ticket means a vote for Otto T. Bannard for mayor, who will see that colored men are put on the police force. A vote for Judge Charles S. Whitman for district attorney, if elected, means that colored men will be placed in the district attorney's office to look after your interests."

Bannard was asked about this statement.

"I have given no authority for such a statement," he replied, "but I think

Continued on Page Two.

## BISHOP IS STRUCK WITH LOADED CANE

### Irate Father Objects to the Sending of His Son on a Mission.

### CALLS BISHOP WORTHEN OUT OF BED AT MIDNIGHT

### Sheriff Solicitous About Prisoner, and Denies Tribune Permission to See Kirk.

In answer to a summons to come to the front door, Bishop Charles H. Worthen, residing at 256 West Seventh South street, was assaulted by A. H. Kirk, Saturday night, and knocked senseless. Kirk was immediately arrested and taken to the county jail, where he is being held under bond of \$500. Bishop Worthen has been in bed since Saturday night suffering from the effects of the beating, the story of which, as related by the Worthen family, is as follows:

According to the story of Mrs. Worthen, she was attending to a sick child Saturday night when the telephone bell rang. Going to the telephone she was startled, she said, to hear the small daughter of Kirk crying. Between the sobs the girl managed to tell Mrs. Worthen that Kirk had just left his house with the avowed intention of going to the house of the Bishop and beating him up.

Mrs. Worthen said that she immediately hung up the telephone and ran up stairs where the bishop was in bed and told him of the message she had just received. Bishop Worthen, dressed, came down stairs, and seeing Kirk standing outside the doorway, approached and said:

"What have you in your pockets, Kirk? Take your hands out of your pockets."

The bishop then stepped outside the house and took hold of the hands of Kirk, who immediately drew his hands out of his pockets and said that he had nothing in them.

Boy Sent on Mission. Then, according to Mrs. Worthen and Mrs. Kirk, who had accompanied her husband to the house of the bishop, the two men fell to arguing with each other regarding the sending away of Oscar Kirk on a mission. According to Mrs. Worthen, Kirk asked the bishop to release the boy from going on the mission, saying at the same time, that it was the request of his wife. Bishop Worthen refused the request, according to the story of the woman, and turning to Mrs. Kirk, asked her if it were her wish to have the boy released. Before Mrs. Kirk had time to answer, Kirk struck the bishop over the head with a loaded cane, knocking him senseless. Mrs. Worthen, who up to that time had been standing back and to the side of the bishop, then sprang forward and snatched the cane out of the hands of the irate Kirk before he had time to strike another blow.

Upon regaining his senses, Bishop Worthen grappled with Kirk and both men went to the ground, where they struggled until Juvenile Officer Sperry arrived on the scene and took Kirk to the county jail. A representative of The Tribune was refused admission to the presence of Kirk at the county jail Monday night, Sheriff Sharp stating that visitors are not allowed to see the prisoners after the election, and according to both Mrs. Worthen and Mrs. Kirk, all of the trouble arose over the sending of young Kirk away on a mission. It is understood that Kirk refuses to sanction the going of the boy on the mission and had called on the bishop earlier in the week to ask the release of the boy. A few years ago one of the other sons of Kirk was sent on a mission and the father had threatened to strike another blow, and it is understood that Kirk met the bishop the first part of last week and threatened trouble in the event that the bishop insisted on sending Oscar Kirk on a mission.

Sought Help of Police. Patrolman Tyler, who lives in the vicinity of the belligerents, stated Monday night that Kirk had come to his house Saturday, a week ago, and had asked him to arrest Oscar Kirk so as to prevent him from going on the mission. Patrolman Tyler refused to make the arrest unless the father should swear out a warrant, which he refused to do. It is said that Kirk told Tyler that the boy had just come to the house within the last two weeks and was waiting to vote before going on the mission.

Bishop Worthen is under the care of Dr. C. L. Sandberg since the assault and has been confined to his bed. Although Dr. Sandberg found a depression in the skull, where the bishop had been struck, it is said that the wound will not result seriously.

## KING OF SPAIN BITTER OVER FERRER TURMOIL

PARIS, Nov. 2.—A special dispatch from Madrid to The Journal gives an interview with King Alfonso, who expressed himself bitterly on the Ferrer demonstrations abroad. He said he understood the attitude of the masses, who were always ready to take sides with what they considered right. "But," he continued, "why intellectual savants, who do not dare to announce a discovery before it is verified a hundred times by experiments, should protest without inquiry against a judgment conformable with laws they are ignorant of and against the guaranteed honor of Spanish soldiers, I cannot understand."

## WHERE TO DELIVER ELECTION RETURNS.

District chairmen and others bringing election returns to The Tribune should be requested to pass them through the window at the head of the stairway on the second floor. This will avoid confusion and it is hoped that the request will be strictly complied with.

## WHERE TO DELIVER ELECTION RETURNS.

District chairmen and others bringing election returns to The Tribune should be requested to pass them through the window at the head of the stairway on the second floor. This will avoid confusion and it is hoped that the request will be strictly complied with.

## WHERE TO DELIVER ELECTION RETURNS.

District chairmen and others bringing election returns to The Tribune should be requested to pass them through the window at the head of the stairway on the second floor. This will avoid confusion and it is hoped that the request will be strictly complied with.