"To him who watches everything is revealed." This includes all sorts of "want ad. bargains" to those who "watch" the want ads, day by day.

DESERET EVENING NEWS.

The French say that "Nothing is a footless stocking without a leg;" and that is about the only thing you cannot buy or sell thru advertising.

TRUTH AND LIBERTY.

10 PAGES—LAST EDITION TUESDAY JANUARY 29 1907 SALT LAKE CITY UTAH FIFTY-SIXTH YEAR

NOTED REFORMER ON PRISON WORK

Mrs. Ballington Booth Tells of League Among 50,000 Prisoners in United States.

VOLUNTEERS OF AMERICA.

While Husband Conducts This Organization She Takes Charge Of Efforts in Penitentiaries.

Now En Route East From Visit to Coast and Stops Over to Lecture In Salt Lake.

A very pleasant appearing woman is Maud Ballington Booth, under whose leadership 50,000 men are enrolled in the work of prison reform in America.

Mrs. Booth arrived in Salt Lake this morning from San Francisco, and is registered at the Kenyon. She was found in a happy frame of mind over Salt Lake weather when interviewed by the "News" just before leaving for a spin about the city "to get some of this delightful sunshine."

"You know," she added, "it was raining fearfully in San Francisco, and this is the first really pleasant day I have had a chance to spend out of doors for some time, so don't make your interview too long, will you."

While on the coast, Mrs. Booth went through the two big California prisons, and she intends to visit other state prisons in the west during her present tour. Tonight she will lecture in Barratt hall under the auspices of the Mutual Improvement course. The number is an addition to the course as announced, but season tickets will admit holders. The proceeds from the lecture will go into the prison reform funds which Mrs. Booth uses in carrying on her work.

PREVENTATIVE WORK.

When asked to tell something of her work in prisons, Mrs. Booth declared that she must not be confused with the Salvation Army. "For many years my husband and myself were at the head of the Salvation Army, but we finally left it for reasons of principle, and began to build up this American work which you know as the "Volunteers of America." Out here in the west it perhaps is not so familiar as farther east where the population centers are larger and afford a more practical field for reform effort.

"Much of our work is preventative rather than curative. We try to protect the working girl, and the working child from starting along the downward path. My husband, Ballington Booth, is more especially in charge of the general reform work, while my special department has been the prisons, and in this field our most extreme ideas have been carried out.

"In all our work, we try to furnish only that help which assists either men or women to reinstate themselves in society and become independent of charity and support. The hand of true charity never lowers the sense of true manhood and true womanhood, but rather tends to cultivate self maintenance, self respect, and self improvement. We find in our work three classes needing help. There are those whose need is temporarily, during a seige of sickness or to tide over a sudden financial loss, those of the second class, who have drifted into indifferent and parasitical life, and who may be restored to self help through the exertion of a strong hand, and finally the class that through hereditary disease or accident are incapacitated to do any work. These need guardianship and permanent assistance.

INSTITUTIONS MAINTAINED.

"The institutions we maintain are 18 homes for men, seven homes for women and four homes for children. During the past year 280,812 lodgings were given, 169,113 meals were paid for, and 93,641 given free. In connection with these homes are maintained wood yards, industrial departments, co-operative stores, and the like. In New York we have the St. Gregory Emergency hospital, which is foremost in importance in our hospital work. It handled 1,323 emergency cases during one week last month, and that was only an average week.

"In our prison work, of course I am more directly interested. Here the results of the past year show that over 70 per cent of those we have received directly from the prisons, are now leading sober, industrious lives.

"In addition to that tens of thousands of people are in touch with the league at all times through correspondence and personal visits, so that it has made a marked influence on the world of crime and criminals. Not so many of them are now voted to be hopeless to society, and incapable of leading honest lives. The crusade in behalf of the prisoner has borne better fruits than ever I dreamed it would, when the work first appealed to me as a practical field."

Following her lecture here tonight, Mrs. Booth will leave for the east, as she is now returning from a coast trip toward her New York home.

CHINESE RELIEF FUND WILL CLOSE SOON.

All charitably disposed persons who wish to respond to President Roosevelt's call for the starving Chinese are reminded that the Deseret News will receive subscriptions and forward them to the National Red Cross association. There is every occasion for haste, and the list will only remain open a short time longer.

Relief societies and all others intending to contribute to this noble cause are urged to communicate with the Deseret News at once. The following is yesterday's report:

Previously acknowledged	$108.40
Chauncey Dunford	1.00
Pinto Primary association	1.00
E. R. Tucker (McCallum Miss)	1.60
N. P. Rasmussen, Levan, Utah	10.00
Hyrum Dennisen	.50
Cash, Provo	5.00
Total	$126.90

DISTRICT ATTORNEY JEROME,
Who Will Have Charge of the Prosecution of the Thaw-White Murder Case.

HARTMAN LIKES PRETTY WOMEN

Noted Violinist Says He Will Teach Salt Lake Girls For Nothing.

IS A CHANCE TO TAKE HIM UP.

Interesting Talk With Famous Musician Who Arrived in Salt Lake This Morning From 'Frisco.

Arthur Hartmann, the noted violinist, is a guest at the Knutsford hotel, having arrived from San Francisco and southern California, where he has been charming many audiences with the tones of his $10,000 Stradivarius. It is a noble looking instrument, made in 1711 at the celebrated Cremona factory of the Stradavarii, and he expressed his belief this morning, that this evening's audience in the First Congregational church would also believe it an exceptionally fine instrument. Mr. Hartmann came east from the coast to play here, and leaves tonight for Portland, where he is billed to appear later. As he is to pass this way again the middle of February, it is very likely to the noted artist will play in this city once more before finally going east. Mr. Hartmann's reception on the coast has been such as to greatly encourage him in his belief in the fact that the American nation is becoming musical, and is beginning to properly appreciate and understand the elevating attractions of art. At the same time, the artist deprecated the tendencies of American newspapers to exaggerate and parade before the public view so much of the undesirable and lowering in life at the sacrifice of attention to art. He mentioned specially the space given by the average American paper to criminal sensations and prize fights. "Why," said he, "publicity will be given by the column and the page to exhibitions of prize ring brutalities; and how much space is awarded to art?"

ENTERTAINING MAN.

Mr. Hartmann seems not only to be an artist in instrumental performance, but his general appreciation of the artistic in its generic sense is very marked, and covers a wide field outside of the immediate environment of the violin, so that he is an entertaining conversationalist on a variety of topics; and his ideas of life and "the eternal fitness of things" are those of a traveler and savant of wide experience. Mr. Hartmann admires American womanhood, and is not backward about saying so. He thinks there are more fine looking women in the United States than anywhere else in the world, and remarked this morning, to the "News" representative, "You just put it in your paper that any of the pretty girls in this town who want to come over to Europe and take violin lessons of me, why, it wont cost them anything for tuition!"

AMERICAN ORCHESTRAS.

Mr. Hartmann was asked by his visitor for an opinion as to the comparative merits of the more noted American and European orchestras. He said the great orchestras of Boston, Chicago, Philadelphia, New York and Pittsburg are equal to any in Europe, and a rapid advance is being made whereby still higher planes are being reached. While the Boston Symphony may be classed as the best, still, he thought it was not quite up to a former standard, because of the changing personnel, and the substitution of less valuable instruments than what obtained formerly. The visitor called attention to the fact that it did not pay the best woodwind players of Europe to come to this country, as there is really not enough for them to do. "Let a bassoon player come here from the old country, and what is there for him, if he cannot obtain permanent employment in some orchestra? Let him advertise for pupils, and how many will come to him to learn the bassoon? The same is true of other woodwinds."

LEARN RUDIMENTS HERE.

Mr. Hartmann, like Mme. Schumann-Heink, believes that young Americans can learn the rudiments of music in this country better than in the old country. But, at the same time, there is a finishing, or polishing process or experience to be obtained there not as yet to be found here. For instance, one may run into the most noted musicians in the world in a single block's walk in Berlin; and the entire atmosphere is one that brings the student more into a thorough approchement with the ethics and the aesthetics of the art divine. That is why it will do the advanced student good to go abroad for the completion of study. But the pedagogics of music are to be had in this country as well as anywhere else.

Mr. Hartmann referred feelingly to MacDowell, whom he said is now at the age of 43, with only the mind of a little child, not knowing his own wife, and not even knowing that he was ever acquainted with music. The violinist said he wrote to Mrs. MacDowell for some of the composer's music for the violin, but was told that he had never attempted to write for that instrument as he knew nothing about it. However, Mr. Hartmann secured a number of the composer's light works, and found "To a Wild Rose" well adapted to violin performance. So he had transcribed it into two forms—one of simple style suitable for amateurs, and one of considerable technical difficulty for performances by artists. He wished it to be known that he will play the latter arrangement this evening. In fact, he said he puts this on all of his programs. It is interesting to know that Mr. Hartmann is giving half of the royalties from the MacDowell transcription to Mrs. MacDowell for the composer's support.

THOSE DEAD DUCKS.

State Chemist Believes Bingham Smelters Are Responsible for Demise.

The state chemist is making an exhaustive analysis of the vitals of ducks which are reported dying in such numbers at the mouth of the Jordan. Dr. Harms said this morning, the appearances so far were very much like the results obtained from the Jersey oysters that came to this city loaded with copper. He is ready to believe that the emptying of waste waters from the Bingham smelters into the Jordan river will explain the phenomenon. When the viscera under examination are thoroughly boiled, the resultant solution is precipitated by the action of sulphuretted hydrogen in the form of metallic salts, should there be any; and then this conglomerate is tested for the presence of various suspected metals.

ROW ENDS IN ARRESTS.

Greek Bartender Accused of Giving Short Change to Customer.

At an early hour this morning, officers made a raid on the Independent soloon, a "dive" conducted by Greeks named Farros and Fotis. John Papas and Odes Papas were arrested on the charge of robbery and landed in the city jail.

The trouble arose over an attempt to short change a customer. Three employes of the Bamberger Cool company, Sam Allen, Tom Williams and S. J. Garn, were playing pool in the place, and at the conclusion of the game, Garn tendered a $20 gold piece in payment for some beer. He claims when the change was handed him it was $5 short. He protested to the bartender, John Papas, but the latter refused to return the money. Odes Papas, a spectator, took a hand in the row that followed, and struck Garn a blow in the face. The latter refused to touch the money, which had been offered him by the Greek, and when he left the place to telephone to the police, Odes Papas, who had previously drawn a revolver, picked up the money and put it in his pocket.

The patrol wagon with a load of officers soon arrived on the scene, but the proprietors of the place interfered with the offices when they placed John and Odes Papas unde arrest. At the police station the latter finally admitted that he had taken the money.

IN DIEHL'S COURT.

Testimony All Taken in the Mrs. Ray Townsend Case.

In Judge Diehl's court this morning the case of the state vs. Mrs. Ray Townsend, charged with assault with a deadly weapon upon one James McAdams, both colored, was concluded so far as the taking of testimony and arguments are concerned. Judge Diehl will decide tomorrow morning whether or not the woman will be held to answer to the charge in the district court. Atty. William Newton, for the defense, argued that the state had failed to make a case and pleaded for the discharge of the accused.

Edward Johnson, charged with burglary in the first degree, changed his plea of not guilty to that of guilty of petit larceny and was given six months in the county jail.

NO SALE OF SALTAIR.

Present Owners Say They Will Not Sell And Call For Concession Bids.

Manager Langford of the Saltair Beach company is today moving his offices to the Utah National bank, where the headquarters of the railroad and beach will hereafter be located. Both Mr. Langford and Mr. Joseph Nelson, the owners of the resort, say they are heartily glad that the sale of the property did not go through, for the rising waters of the lake and the good times wave mean increased business and prosperity for them. Already they are preparing for the summer's business, and are outlining various improvements, and today commenced to advertise for bids for concessions for the coming season.

FULL FARE, PLEASE, UNCLE SAMUEL

Union Pacific and Northwestern Roads Refuse to Make Any Special Rates

ON SOLDIERS AND HORSES.

Railroad Officials Say That the Government Will Get no More Cheap Fares.

Omaha, Jan. 29.—The Union Pacific and Northwestern railroads have refused to make any special rates to the government for the shipment of soldiers en route to the Philippines to and from San Francisco and the quartermaster's department of the department of the Missouri is much disappointed over the action of the roads. Yesterday bids were opened in Omaha for the transportation of 600 men, 500 horses and a large amount of equipment from Forts Robinson and Russell to San Francisco. Only the Union Pacific and Northwestern submitted bids and both were for regular and full fares. Railroad officials say the government will secure no more cheap fares.

FIVE EMPLOYES KILLED ON THE BOSTON & MAINE RY.

Shelburn Falls, Mass., Jan. 29.—In a collision between an express train and an extra freight on the Fitchburg division of the Boston & Maine railroad at South River, a station near Deerfield, today five employes of the railroad were killed, and several employes and passengers, none of the latter seriously injured. The rolling stock was badly damaged and traffic greatly delayed.

As the express was running at the usual speed, the "signal" whistle was blown for some reason that does not yet appear and the express came to a sudden stop. While a brakeman was endeavoring to place signals behind the train the freight came along and crashed into the rear of the express. The rear car was a "deadhead" coach, in which were several employes of the railroad, and these were the ones who were killed or injured.

SERIOUS REVOLT BREAKS OUT IN JAVA.

Amsterdam, Holland, Jan. 29.—A serious revolt has broken out in the province of Kediri, island of Java, Dutch East Indies, according to a dispatch received here from Batavia. It is stated that 300 natives have taken up arms and that many of the Dutch officials and their adherents have been killed or wounded. The governor of the province is said to be among the wounded, and the chief of police is reported killed. The troops have been sent to the scene of the outbreak.

BOARD OF PUBLIC WORKS.

Decides to Open All Bids for Sewers, Watermains, Curbing, Etc.

At a meeting of the board of public works, held yesterday afternoon, it was decided to open bids for all sewers, watermains, curbing, guttering, sidewalks and cross-walks to be constructed this year on Feb. 28, 1907. Bids for paving, repairing street paving, macadamizing and for the construction of a band stand at Liberty park, will be opened on March 14, 1907. The advertising for the bids will be commenced within a few days.

Bids were opened yesterday for printing 1,100 copies of the specifications for the various improvements and the contract was awarded to the Grocer Printing company. Its bid was $387.50; the Century Printing company's bid was $400, and the Western Printing company bid, $450.

DIED OF PNEUMONIA.

W. T. Rose, Employed by Short Line, Meets Death in Idaho.

News has been received here of the death at Payette, Idaho, of William T. Rose, formerly of Salt Lake. The deceased had been in the employ of the Short Line for some time, in the construction of buildings.

Mr. Rose was born in this city Dec. 6, 1867, and was the son of F. W. and Elizabeth Rose, who reside in the Seventh ward. His immediate family consists of a wife, three sons and one daughter, and he is survived also by three brothers and two sisters, namely, F. W. Rose, Jr., of Montpelier; Charles E. Rose, of the "News" job department; James E., Emma and Lillie Rose.

The body will be brought to Salt Lake for burial, but the time and place of funeral have not yet been determined.

MISS FLANDER'S MUSICAL EVENING.

The lower part of the Theater was well filled by an interested and closely attentive audience last evening. The gathering came in response to invitations issued by Miss Gratia Flanders, several of whose star pupils made up the program. Those performing were Miss Geneve Ellerbeck, Miss Judith Evans, Miss Pearl Rothschild, and Miss Ethel Dofflemyre. They were assisted by Mrs. Plummer, soprano, and Miss Esther Tuckerman Allen, violinist. The program was one of rare charm and every one of the four performers left a brilliant impression. The quartet of ladies rendered two four hand pieces, the "Haydn Symphony No. 1," and "Leduc's Bolera." Each of the ladies also rendered a solo number, and each displayed the highset degree of virtuosity. Mrs. Plummer sang "O Salutaris Hostia" with a violin obligato by Miss Allen with fine effect and Miss Allen herself was down for two selections, which she gave in admirable style.

FRANCIS E. WARREN.

Senator Francis Emroy Warren was born at Hinsdale, Mass., on June 20, 1844. He served in the Massachusetts volunteers during the Civil war from 1862 until 1865. He continued to be engaged in farming and in stock raising in Massachusetts until 1868, when he went to Wyoming, where he began farming and the raising of cattle on a very large scale. In 1873 he was elected to the Wyoming state legislature. He was made a member of council in 1884, and later mayor of Cheyenne. He was governor of Wyoming territory from 1884-1886, and again from 1889-1890. He was elected to the United States senate in December, 1890. His home is in Cheyenne, Wyo.

PROPOSITION OF FRENCH BISHOPS

Apparently Offers an Adjustment Of Conflict Between the Church and State.

HAS APPROVAL OF THE POPE.

It Provides for Virtual Lease of the Churches in Perpetuity to the Parish Priests.

Paris, Jan. 29.—The proposition which the French bishops, with the approval of the pope, have now submitted to the government, seems to offer the first real prospect of an adjustment of the conflict between church and state under the separations regime. While it involves a material modification of the position taken in the last papel encyclical, the proposition put forward has all the appearance of an ultimatum. Whether the government, in spite of the concessions made and making in the interest of peace, will accept a settlement based on the adequate recognition of the Roman hierarchy remains to be seen. The model contract which the bishops have submitted provides for the virtual lease of the churches in perpetuity to the parish priests by the mayors, the leases being for 18 years. The leases, which carry a stipulation engaging the communal, municipal and state authorities not to interfere with the administration of the church and parish are invalid, except with the express ratification of the bishop and become null the moment the parish priest loses the bishop's authorization. The bishops must act together to insure the acceptance of the contracts everywhere or nowhere.

It developed today that the report that Cardinal Richard, the archbishop of Paris, had summoned another meeting of the episcopate was not correct. The cardinal only summoned meetings of the regional assemblage of bishops, to which the pope's decision was communicated.

The bishops' proposition created a stir in parliamentary circles. The followers of ex-Premier Combes were loud in their assertions that it was utterly unacceptable, but the more moderate Republican groups were less emphatic and there was general expectation that the government would be forced to define its position during the debate this afternoon in the chamber of deputies upon the ministerial bill providing for the suppression of declarations under the law of 1881.

SWETTENHAM WITHDRAWS LETTER TO ADMIRAL DAVIS.

London, Jan. 29, 4:15 p. m.—The Associated Press learns that the international phase of the Kingston incident has been finally closed by Gov. Swettenham formally withdrawing his letter to Rear Admiral Davis and expressing his regret for having written it.

Swettenham's withdrawal of his letter and his apology followed voluminous telegraphic communications to him from the colonial office. The dispatch which has now closed the incident was sent by the governor to the colonial office, whence it reached the state department at Washington through the foreign office in the usual course.

SERVICE PENSION BILL FAVORABLY REPORTED.

Washington, Jan. 29.—By unanimous vote of the house committee on pensions and invalid pensions acting as one committee, the McCumber service pension bill was favorably reported to the house today. The bill provides that all veterans of the Mexican war or the war of 1861 who are 62 years of age, may have a pension of $12 a month. Veterans 70 years of age, are to have $15 a month, and $20 a month is to be granted veterans over 75 years of age.

S. P. CLERK KILLED.

San Francisco, Jan. 29.—J. W. Duffey, a clerk in the passenger department of the Southern Pacific company, was instantly killed last evening by being crushed by an elevator in the James Flood building.

The elevator stopped at the ninth floor to take on a passenger. Duffey started to follow when the elevator suddenly shot up, catching Duffey between the floor of the elevator and the wall of the elevator shaft, crushing his chest flat.

No reason can be assigned for the sudden starting of the elevator.

SWETTENHAM TO TAFT.

Gratefully Thanks Him for Supply of Tents From Cuba.

Washington, Jan. 29.—Secy. Taft has received the following cablegram from Gov. Swettenham, dated Kingston:

"Most grateful thanks for supply of tents just arrived from Cuba in charge of Capt. Battle, U. S. A. Service most highly appreciated."

The tents referred to are those forwarded from Santiago by Brigadier General Wint upon the request made to provisional Gov. Magoon by the acting British minister at Havana.

FISHERMEN ADRIFT.

Fourteen on a Floe of Ice in the Gulf Of Riga.

Riga, Russia, Jan. 29.—Fourten fishermen are adrift on an ice flot in the gulf of Riga. The men were fishing when the ice broke and they suddenly found themselves being blown out to sea by a strong wind. Steamers are searching for the fishermen.

CALL ON NATIONAL BANKS.

Washington, Jan. 29.—The comptroller of the currency today issued a call for a statement of the condition of all national banks at the close of business, Jan. 26.

OFFICERS AT LEAVENWORTH.

Ten Per Cent Detailed for Instruction Physically Unfit to Take the Course.

San Antonio, Tex., Jan. 29.—Col. George Leroy Brown, Eighteenth infantry, has been notified by the war department that 10 per cent of the officers detailed for instruction at the military school at Fort Leavenworth are physically unfit to take the course.

This is declared to be due to numerous causes. The department in a supplemental order notified Col. Brown that the officers must undergo a physical examination at each post from which they are sent before being detailed for the course of instruction.

DISCUSSION ON COAL SHORTAGE

Dr. C. L. Olsen Holds That Existing Fuel Famine is Due To Railroads.

CALLS IT A GREAT DISGRACE.

Claims That Lack of Coal is More Than an Inconvenience for it is A Positive Danger.

In a communication to the "News," Dr. C. O. Olsen severely arraigns the railroads, whom he deems responsible for the prevailing coal shortage in Utah and contiguous states.

Dr. Olsen's arraignment is as follows:

"Awakened in the early morning, through contemplating during waking hours the possible results of the present long-drawn-out coal famine—robbed of sleep, so sorely needed—the writer was pondering over the, in this respect, gloomy outlook in this otherwise blessed state. This dire calamity, which is not only confronting us, but actually existing, is indeed cause for serious reflections. No doubt every conscientious parent or provider realizes this fact and feels keenly the gravity of the situation; no doubt, even, many are greatly perplexed, not knowing what to do in their dilemma.

"That mines, mills and smelters shall have to close down for the want of fuel is bad enough; but when parents having a family of small children around them shall have to run on "short rations" and be compelled to see their homes cold and cheerless, and the fire in the cook stove, even, burn low, it is quite a different thing.

"And who is responsible for this condition of affairs? A great deal of cautious hinting has been indulged in by the local press as to where the blame really lies for the shortage of coal. It is safe to say, that at least 99 out of every 100 who have given the matter a thought, have long since arrived at the conclusion that the fault lies with the railroads. In fact, such a conclusion is so natural and apparent that looking seriously in any other direction for a cause would almost seem ridiculous.

"Lack of cars has been urged as an excuse. The beet crop, the shipments of grain, of cattle and of sheep, the output of the mines, the demands of the smelters, etc., have been made to do full duty for the contingency. It would be hard to convince the average citizen that the railroad companies are unable to provide cars in abundance for their traffic, were they willing to do so.

"That it is possible in this trust-cursed land for mighty corporations to close, by one master stroke the legitimate avenues for men to obtain in an honorable way the necessities of life is a well-known fact; that just such conditions give rise to lawlessness and crime can not be denied; but that it shall be possible, without hindrance, for common carriers, like the railroads, to so arrange matters that the public, after having given them franchises and other valuable grants, shall stand in utter helplessness in a crisis so grave as the one here referred to, is unbelievable.

"With mountains of coal and miners to dig it; with transportation companies who, at least impliedly, have agreed to ship it, and with an ever-inceasing population ready and willing to pay in the hardest of gold the full price asked for the commodity (when it can be gotten)—even a price demonstrated to be unwarrantably high—shall the people of this state be compelled to remain helpless in this situation?

"What would be thought of, or what would be done with, for instance, a teamster who, having received certain concessions, say, from a mining company, in order to haul its ore, should plead inability to handle the same because of lack of teams or wagons? Why, the company would look upon that teamster as a miserable failure and would try to help itself.

"The writing of newspaper editorials and articles are good enough in a manner, and they may, even, do a vast amount of good, serving, as they do, to 'show which way the wind blows;' but now, right now, is the time to act, not to philosophize. It is not a question of what those who are financially able may do next year in the way of laying in ahead a year's supply of coal—whatever there can be of justice in such a proposition—but innocent children, not to speak of heartsick parents, are suffering, yes, absolutely suffering, this very hour, for fuel with which to keep their bodies warm. What a disgrace! Here we are, imploring the generous-hearted American people to give of their abundance to starving Chinese, while thousands of our own flesh and blood in this very state are made to feel the fearful pangs of cold, and for no other conceivable reason than a stubborn refusal or neglect on the part of the common carriers to supply coal, and that, too, for ample consideration.

"Let us hope that our legislature now in session may be able to find a permanent solution to this vexed problem that with each year, seemingly, is getting harder and harder to solve.

"If a railroad commission is at all likely to exert an influence in the way of removing the hardships that the citizens of this state have had to bear for years, in begging and pleading for coal—and then to suffer without it—for heaven's sake, let us have such a commission. Our friends, the legislators need not be afraid to vote for any measure calculated to prevent a manifest injustice to their constituents.

"Some have expressed the fear, that any effort on the part of the people of this state to assert their rights—the right of fair treatment—at the hands of the railroads, as for instance, by creating a railroad commission, would deter other companies from coming into our state to build. No fear need be entertained on that score. If business will justify it—and it will, in this great and growing commenwealth—we shall have all the railroads we shall need.

"To characterize the present coal famine as an inconvenience is far from the full truth. It is a positive danger. The individual power of resistance is lowered; physical endurance is lessenad; sickness, disease and death must necessarily follow the exposure to cald which many in this region at present are rendered liable to.

"In the name of all that is fair, let the governor, the legislature and every citizen of this state rise up and join in a mighty effort to find a speedy and lasting relief from the dangerous plight into which we are thrown, whether so placed by scheming, soulless 'business' corporations, an over abundance of crops and other products, an unprecedented prosperity, or what not."

MAY COMPLETE THAW JURY TODAY

Tenth Man, John S. Dennee, is Secured, Then Two Are Excused.

SEEMS TO PLEASE DEFENDANT

Reason is He is a Southerner, and Presumably, Has Chivalric Ideas About Woman's Honor.

The Defense Has Taken Fifteen of its Thirty Peremptory Challenges, The Prosecution, Fourteen.

New York, Jan. 29.—The excusing of two of the sworn jurors in the Thaw case at the beginning of the afternoon session today left four vacant chairs in the jury box and delayed the beginning of the taking of testimony. The jurors excused were Arthur S. Campbell, No. 4, and Harold R. Faire, No. 6. This action was announced after a conference in which the attorneys for the defense, Dist. Atty. Jerome and Justice Fitzgerald took part. The reasons for the step were not made public. They are said to have been of a business nature.

Out of the 18 talesmen of the original panel of 200 men who were examined this morning one proved acceptable and took his place as juror No. 10. He is John S. Dennee, a traveling freight agent. Mr. Dennee is a native of Louisiana, and Thaw seemed especially pleased at having secured a southerner upon the jury.

When this, the fifth day of the trial, began, there remained about 35 names in the original jury panel to be called. It was agreed that they should be exhausted before calling upon any of the newly summoned talesmen.

All the members of the Thaw family were again present today. The prisoner's wife and mother sat side by side again and it seemed as though this arrangement was deisgned in advance, further to discredit the stories which have been so prevalent as to dissensions in the family.

The Thaws often meet in one of the ante-rooms of the court and consult with counsel for the defendant. This accounts for the fact that they sometimes do not greet each other when taking their places in the courtroom.

Both Atty. Delmas, who is suffering from a cold, and his law partner, Mr. McPhie, were absent from the defendant's counsel table when the morning session opened. This left two vacant chair's on the prisoner's right, and gave him a clear view of the jurors thus far sworn. He profited by the opportunity to study their faces for a time. Then he exchanged confidences with Mr. Peabody, who sat at his right.

Mr. Jerome questioned the talesmen today as to the extent they have been reading the papers since the trial began and if they had been influenced in any way thereby. None of the men put under examination in the early part of the proceedings would admit that they had attached importance to anything outside of the actual proceedings in court.

The defendant's attorneys set a new high record for peremptory challenges, bringing this privilege to bear five times in excusing talesmen from service. The defense has thus far used 15 of its 30 peremptory challenges, and the state 14.

A new panel of 100 talesmen was in court today, but it had not been drawn upon.

Samuel Popper, a manufacturing jeweler, went through the regular examination by both sides and finally came to grief against a peremptory challenge exercised by Thaw's lawyers. Popper was the first man of all upon the big panel to declare that he had neither formed an opinion nor heard one expressed.

Mr. Hartridge again indicated by his questioning of this talesman that there may be more than one excuse offered by Thaw for his killing of Stanford White.

"Would you object to two or more defenses?" asked the prisoner's counsel.

"No," replied the talesman.

After a consultation among the defendant's attorneys, the peremptory challenge was issued.

By consent of all concerned in the Thaw case, Jurors Arthur S. Campbell and Harold R. Faire were excused from further service this afternoon.

COUNT TOLSTOI, THE RUSSIAN NOVELIST, DYING.

Stockholm, Jan. 29.—A dispatch to the Dagblad from St. Petersburg says Count Tolstoi, the novelist and social reformer, is dying.

COAL SENT BY EXPRESS.

Mrs. Rasband Gets Two Sacks From Park City.

The story of a woman filling her baby's carriage with coal was considered a good one and as it was absolutely true, somewhat surprising. It was up to Park City and Salt Lake to join forces and furnish the best one, however. This story also is absolutely true, and arises from the fuel shortage.

Mrs. J. F. Rasband of 205 east Seventh South street ran short of coal several days ago, and despite every effort could get no more. Not caring to borrow from the neighbors, Mrs. Rasband scraped and swept her coal shed floor. Finally when the cracks in the floor refused to render any more aid or encouragement, Mrs. Rasband wrote to her husband, "Jim" Rasband, a proprietor of the Park City Meat company, in Park City, telling him how serious affairs were down here. Mr. Rasband promptly bundled up two big sacks of coal and sent them to his wife by express from the mining camp.

The two sacks carried Mrs. Rasband over nicely until a long-looked-for wagonload came.