

SECRET EVENING NEWS

TRUTH AND LIBERTY.

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MONDAY MARCH 18 1907 SALT LAKE CITY UTAH

FIFTY-SIXTH YEAR

AFFIDAVIT DRAWN BY ABE HUMMEL

Said to Have Been Made by Evelyn Nesbit, and Charges Harry Thaw With Cruelty.

JUDGE FITZGERALD ADMITS IT.

Lived in an Austrian Castle, Where, it is Alleged, He Whipped Her With a Rawhide.

When They Went to Switzerland and Paris Where the Barbarous Treatment Was Continued.

New York, March 18.—After fighting for an hour and a half against the introduction in evidence of the famous affidavit drawn by Abraham Hummel at the request of Stanford White and with the alleged consent of Evelyn Nesbit, charging Harry Thaw with having cruelly beaten Miss Nesbit on several occasions during their trip through Europe in 1903, Mr. Delmas, for the defense, suddenly switched tactics during the Thaw trial today and demanded that the whole of the alleged affidavit go into the record and be read to the jury.

With the reading of the affidavit, Mr. Jerome announced that the people rested their case in rebuttal. Mr. Delmas immediately offered in evidence the affidavit drawn by Abraham Hummel on the charge of conspiracy. The district attorney did not object and the defendant's lawyer proceeded to read the entire record.

The Hummel affidavit had already been discounted by the statement of its contents by Mr. Jerome at various times during his arguments as to its genuineness.

The affidavit specifies numerous occasions in Austria, Switzerland and Paris, when Thaw is alleged to have beaten the young woman, who was traveling with him as his wife, until she swooned.

Mr. Delmas had not reached the district attorney's request that the affidavit be read when the luncheon recess was ordered. It was to get Mr. Jerome's own words, denouncing Hummel, that Mr. Delmas undertook to read the entire record of the trial.

When Hummel was on the witness stand he denied absolutely that in drawing up the affidavit he was acting as counsel for the defendant. The affidavit as read today and which Hummel said he dictated, he has Miss Nesbit refer to himself as "my wife."

At one place she is purported to say: "I have received several letters and cablegrams from Mr. Thaw which I have turned over to my counsel, Mr. Abraham H. Hummel."

The affidavit is also signed "Howe DEFENSE'S NEW EXPERTS."

There was a 15-minute delay in the opening of the Thaw trial this morning. The defense had three new experts in court today, making seven altogether.

The first of these was Dr. Charles W. Pilgrim, superintendent of the Hudson river state hospital and president of the state lunatic asylum, Dr. William A. White, medical superintendent of the government hospital for the insane, Washington, and Dr. Minus Gregory of Bellevue hospital.

The other four experts for the defense are Drs. Evans and Wagner, who have already been on the stand, and Drs. Jeffrey and Hammond, who have not yet been called, but have been in court daily.

When the proceedings finally began Mr. Jerome offered in evidence the broken pieces of a photographic negative of the last page of the famous Hummel affidavit bearing the signature of Evelyn Nesbit. Mr. Delmas objected to its introduction and began an argument upon the point.

Justice Fitzgerald overruled the objection.

Mr. Jerome then offered in evidence a photographic print from the negative.

Mr. Delmas objected to the introduction of the print also, and another long argument ensued.

PHOTO COPY OF AFFIDAVIT.

Mr. Delmas said the photographic copy of the affidavit could not be introduced in evidence because the original was not shown to the copy on the witness stand and had no opportunity to affirm or deny her signature.

Mr. Delmas argued that the copy of a paper was not competent evidence on which to contradict the witness.

Dist. Atty. Jerome went to some length in explaining that the original Hummel affidavit had been traced to Mrs. Thaw's hands and she had said no such paper existed. Under these circumstances, the affidavit should be allowed to introduce secondary evidence. The evidentiary value of photographic copies, he contended, had frequently been sustained by courts.

Mr. Delmas concluded by saying that if Jerome would put Evelyn Nesbit Thaw upon the stand and let her say whether she knowingly signed the paper, he would offer no objection to the affidavit going in evidence.

FOUND DYING BENEATH BRIDGE

William Backlund, a Finn, Fatally Hurt on the Public Highway.

MYSTERY SURROUNDS DEATH.

Either Was Hit by a Rio Grande Train Or Else Fell From the Track Above.

William Backlund, a Finn, who had resided at Murray for years, was found this morning at 7 o'clock in a dying condition on Twenty-second South street below the bridge where the Rio Grande tracks cross the road. Without loss of time he was removed to the hospital at Murray, but expired shortly after being taken there.

Just how he came by his death will probably never be known. There are two theories. One is that he had been drinking and had walked along the bridge and fallen off the bridge; the other, that he had been struck by the pilot of an engine and hurled to the road below. Backlund bore the reputation of being a drinking man.

He leaves a wife and a son who reside at Murray.

VICE PREST. FAIRBANKS TO COLLEGE STUDENTS.

Chicago, March 18.—Vice President Fairbanks, who was today the central figure in the St. Patrick's day celebration, under the auspices of the Irish Fellowship club, made in various parts of the city four addresses and attended a luncheon and banquet.

At 2 o'clock a strong delegation of the club called to meet the vice president at the Auditorium annex. An impromptu reception was held, lasting 20 minutes, after which the president was taken to St. Ignace college, where he delivered a brief address to the students, the members of the faculty and a large number of invited guests.

The vice president spoke as follows: "I am gratified to meet you under such happy auspices and to thank you for your cordial welcome. There is nothing more congenial to me than the atmosphere which pervades a university like this.

I wish you to congratulate you members of the faculty for the splendid work you are doing in fitting this large student body for the responsibilities of life and the duties of citizenship. It is a most important work that in which you are engaged. Knowledge is, indeed, power, and those who are filling the souls of our youth with noble ambition and instilling their minds with knowledge are increasing the nation's power.

"We are all proud that we are Americans. There never was an hour in our history when we were not more proud to be an American than it does today. We must each and all discharge our duties and responsibilities to our country and our countrymen. It is in the highest degree important that American citizens should be educated.

"We are fortunate in many things, but in nothing more fortunate than in our splendid schools and universities. They are every year turning out an army of young men and young women to enter all the fields of our country's life. It is our duty to share toward the advancement of the intellectual and moral welfare of our people.

"In the final analysis the stability of our institutions does not depend so much upon virtue of constitutions and statutes as upon education and morality of the people. It is our legislative, executive and judicial departments in nation and state. They enact laws, which constitute the mechanism of republican government. They are each and all of vital importance in promoting the welfare of the people, but back of these are the judgment and conscience of the people. It must be an intelligent judgment that we are to attain our highest destiny."

From the college Mr. Fairbanks was escorted to Chicago, where he made a brief address, in which he eulogized the late President Harper, head of that institution, whose cause he had championed and who he felt to be worthy of imitation by all young men. From the university, the vice president was escorted to the rooms of the Chicago Press club on Madison street. There a luncheon was given in his honor and he made his third address of the day.

A NATIONAL FAIR.

Plans for a Permanent One in New York Are Being Suggested.

New York, March 18.—A permanent national fair to contain exhibits from every state in the Union and to be housed in a \$14,000,000 building in this city is being planned by some of the state societies having headquarters here. The plan includes a continuous exposition, comprising the best features of world's fairs of the past, and also luxurious club rooms for the state societies.

Congress at the next session will be asked to appropriate \$5,000,000 toward this enterprise, and each of the state legislatures will be asked for \$200,000. The leaders in the movement, who began in the Michigan society, 1897, they have already been approved by many members of congress and by several state legislatures, of support of their plan, and they believe they can carry it through.

Robert C. And, a member of the Michigan society, is one of the advocates of the plan. He said yesterday: "The building will not only serve the practical business interests of the states, but it will at the same time, be an enduring monument to the idea of statehood as conceived by the framers of the constitution. Once it is completed, no American citizen will be content without seeing it. It will advertise the existence of our commonwealth, too often forgotten, beyond the metropolitan limit.

William J. Warden of Michigan, is the father of the project. It was discussed briefly at a recent dinner of the Michigan society at the Hotel Astor.

ELLIS, IDAHO, POSTMASTER.

(Special to the "News.")

Washington, D. C., March 18.—Victoria Hamilton has been appointed postmaster at Ellis, Lemhi county, Idaho, vice Nina Morrison, resigned.

GRAND JUROR RESIGNS.

Tehran, March 18.—The shah has accepted the resignation of the grand juror, Muzir, of Dowish.

DISASTER AT FORBACH.

Victory of Alsace Lorain Arrives in Berlin to Report to the Emperor.

Berlin, March 18.—Prince Hermann von Hohenhausen Langenbierg, of Alsace-Lorraine, has arrived here to make a personal report to Emperor William on the victory of Forbach. The cause of the disaster at Forbach, which cost the lives of 21,000 men, was that the French had not yet been decided.

PLUMBERS ARE OUT ON STRIKE

All Working in the Union Shops Here Walked Out This Morning.

WANT SIX DOLLARS PER DAY.

Estimated That Sixty-five Men Are Now Idle as Result of Action.

Several Non-Union Shops, However, Are Working Full Blast Undisturbed by Action of Associates.

The plumbers working in the Union shops to the number of 60 or 65 men, it is estimated, failed to return to work this morning, and are now out on a strike. They notified their bosses Saturday afternoon, when they quit, their demand for an increase from \$4.00 and \$5.00 per day to \$6 was not met, they would remain out until the bosses yielded. The reason the men gave for this move was that the cost of living in Salt Lake, including high rents, has become so high that a corresponding advance in pay is imperative. Moreover, the men cited San Francisco, Seattle and 30th as places where even double wages prevail, and think they should be accommodated here. The bosses on the other hand claim that in Denver and Colorado springs the men receive \$4.00 and \$5.00 per day, they say, more to live in those cities than it does in Salt Lake. So the demands of the men will not be granted. The bosses claim that the men are doing their own work, they can take care of their own customers, though, of course no extra calls can be responded to.

"THOSE WHO ARE OUT."

Higson & Rossiter have nine men out, J. W. Higley has four or five, Cartney & Dunlap 9 men, Ross & Egan 10 men, George E. Doyle & Co., nine men; J. F. Farrell, five men; and enough from the remaining shops for a similar total.

There are several non-union shops, however, where there is no strike, and which employ about 25 men, so that, altogether, the demands of the town will be fairly well supplied. It is thought that union force can be increased to the point of efficiency, or the strikers be induced to moderate their demands.

Among the non-union shops are D. W. James, Greene & Keeve, Higham & Barton and A. H. Walsh.

PASSENGERS WERE ALL SAVED

London, March 18.—Details received this morning of the disaster to the White Star Line steamer Suevic, homeward bound from Sydney, N. S. W., by way of Capetown, yesterday, show that she struck the Brandies rocks, close to the Lizard lighthouse at about 10.30 last night and probably will be a total wreck. Lifeboats and tugs reached the scene and commenced landing the passengers. The women and children were first sent ashore. There were no fewer than 260 children on board, many of them being babes in arms, while the local fishermen and their wives lifted out of the boats and carried through the surf to nearby cottages.

A high wind, a rough sea and fog hampered the landing operations earlier, but the fog lifted about 7 o'clock this morning, and from thence forward boats loaded with passengers were sent ashore in quick succession.

By 1 p. m. all the passengers had been landed, but the crew were still standing by the wreck.

Carl Selby, commander of the Suevic, had been at sea for 32 years and this was to have been his last voyage. The North German Lloyd line steamer Kaiser Wilhelm II, during the morning passed close astern of the Suevic, which was then thronged with passengers. As plenty of assistance was provided by the White Star line steamer, the Kaiser Wilhelm did not stop, but proceeded to Plymouth, where she arrived shortly after 10 a. m.

Steamers, some of which are despatched to the west African ports by the Dungeness, Rye, Dover and Cuckmere. The vessel ashore of Cookmore is the British steamer Newcastle. Her position is serious.

London, March 18.—Almost within sight of the wrecked Suevic, the Elder Dempster line steamer Jobba, from Lagos and the west African ports for Plymouth and Liverpool, ran upon the rocks under the cliffs near Prawle Point in the early hours of the morning. Her 76 passengers, many of whom were soldiers invalided home from the west coast of Africa and her crew were safely taken ashore.

Heavy seas were breaking over the vessel, rendering the lifeboats useless. The Jobba will prove a total loss.

BROWNSVILLE AFFRAY CONFESSION A FAKE.

Washington, March 18.—Chairman Warren of the senate committee on military affairs, who was investigating the Brownsville affair, today received from Secy. Taft a copy of a dispatch from San Antonio as follows:

"The adjutant general, U. S. army, Washington—Chief of police, Galveston has just wired me confession of Gray, supposed discharged soldier, appearing in papers today is a fake.

(Signed) BLOSSKROM, Major.

The dispatch relates to an alleged confession printed in a Galveston newspaper and sent broadcast throughout the country.

VERY "PRINCELY" APPROPRIATION

House of Representatives Sets Aside the Stupendous Sum of \$2,000!

JUST FOR ADVERTISING UTAH.

Legislators Expect Beehive State to Make a Showing at Jamestown Exposition on Such a Basis.

Utah will be represented at the Jamestown exposition in Virginia this year. The house of representatives in solemn convocation assembled has decreed it. Two thousand dollars, all for this one purpose, has been appropriated and set apart as the basis upon which the magnificent state of Utah, with resources unsurpassed by any other state, east or west, shall represent herself at one of the greatest exhibitions of modern times. There will be only one absorbing question which was demanded on this appropriation. Critchlow, who had introduced a bill into the house for the same purpose, carrying an appropriation of \$25,000, said he had heard some complaint on the \$2,000 proposition. Critchlow's bill was defeated in the senate and the present measure substituted by that calm body of lawmakers, allowing the princely sum of \$2,000 to display Utah's resources at Jamestown exposition in Virginia. This was S. B. 365, by Walton, and being considered the last chance to get anything at all in the way of an appropriation for Utah, the bill was passed by a vote of 29 ayes, 13 nays, and 10 no votes. Clegg explained the idea of the small appropriation, saying that in view of the fact that Utah could not afford much, but it was hoped the \$2,000 would form a nucleus around which other contributions could be gathered and the state display made in behalf of the state.

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ALASKA-YUKON ALSO.

A like amount—\$2,000—was appropriated for a similar display at the Alaska-Yukon exposition, two years hence. This was on the passage of senate bill 264, which went through the house without opposition.

The house also passed H. B. 300, by the special judiciary committee. The measure is a substitute for S. B. 315, and relates to appeals from the courts, and in part the suit of bills directed against the abuses of practice in a certain justice court of Salt Lake county.

S. B. 315, by Benner N. Smith, which would compromise bill between the senate and house on an appropriation for the benefit of Larayette (childster) measure, and the suit of bills directed against the abuses of practice in a certain justice court of Salt Lake county.

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GOVERNOR APPROVES

A communication was received from the executive office that the governor had approved and filed with the secretary of state H. B. 307, by Robinson, providing for the care of blind children between the ages of 8 and 18 years to be sent to school, and H. B. 282, also by Robinson, with reference to injuries to railroads.

TWO BILLS INTRODUCED.

Two new bills were introduced on this, the last day before the adjournment. One of these was H. B. 307, by the committee on mining and smelting, and was drawn to include all the best provisions and exclude the objectionable features of the present law relating to the exercise of eminent domain by smelters in this territory. The bill was reported by Chairman Barrett, who has been a committee member, and it probably will be reached this afternoon. The bill provides that 75 per cent of the acreage around a smaller must be secured under option before a claim can be made, and then only within a radius of four miles from the plant.

The second measure introduced came from the committee on public buildings and grounds, and designated H. B. 308, and provided for the erection of a main building for the University of Utah. The object of the bill is to permit the use of funds to be raised from the state university, and which loans can be had without expense to the state. This will enable the university to make a start on its main building, which it is in need of in order to supply room in which to properly carry on the vast educational work it has under way.

S. B. 101, by Gardner, appropriating \$500 to reimburse the state for the amount of money for excess fees paid for table.

SPEAKER SIGNS.

The speaker of the house signed the following bills, which were then sent to the governor:

H. B. 352, by Mr. Randall, relating to the railroad, designated H. B. 308, and which may be granted; H. B. 144, by Mr. Randall, creating and organizing judicial courts in certain cities; H. B. 220, by Mr. Marks, providing for the payment of witness fees in civil cases in city courts and in municipal courts; H. B. 223, by Mr. Marks, providing the city courts in cities of the first class will receive in addition to the salary of the judge, a percentage of bonded indebtedness of taxable property in school districts; H. B. 117, by Mr. Marks, relating to the election of a county in the State of Utah; H. B. 160, by Mr. Clegg, authorizing the cities of the first and second classes to issue scrip for the purpose of raising money by special taxes; H. B. 94, by Mr. Tolson, relating to the annual financial statements of cities; H. B. 274, by Mr. Kuchler, providing for the circulation of money in the hands of the state; H. B. 282, by Robinson, defining the word "building"; H. B. 20, by Richards, providing what an entire county is constituted into one school district it shall be a county school district of the first class; H. B. 230, by Clegg, relating to the adoption of persons; H. B. 48, by N. L. S. Jensen, relating to change of venue in cases pending before justices of the peace; H. J. H. 11, by committee on claims and public accounts, claim of

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NEW COMPANIES.

The Wyoming Coal & Coke company of Oden filed a copy of its articles of incorporation with the secretary of state today. The capital stock of the company is \$100,000, divided into shares of the par value of \$10 each. David Eccles is president, M. S. Brunning, vice president, H. H. Rolapp, secretary and treasurer. These also constitute the board of directors. The company owns some coal lands in Sweetwater county, Wyo.

A copy of the articles of incorporation of the New York Coal & Coke company of the county, was also filed with the secretary of state today. Its capital stock is \$100,000, divided into shares of the par value of \$10 each. W. H. Griffin is president, J. E. Griffin, vice president, P. T. Griffin, secretary and treasurer. The company will conduct the general mercantile business of the New York Coal & Coke company.

STRANGE COINCIDENCE.

Mrs. Mabel Derrick Rigby Expires to Minute on Birth Anniversary.

There was a strange coincidence in the death today of Mrs. Mabel Derrick Rigby, she having expired on the anniversary of her birth, and at the same hour and minute that she first saw the light of day. Mrs. Rigby was born in the city of Salt Lake, on March 18, 1878, and was the daughter of Zachariah T. and Sarah W. Derrick. The funeral will be held at the Twelfth ward chapel Wednesday, commencing at 2 o'clock. The remains will be buried in the city cemetery at 1:30 to 1:45 on the day of the funeral.

IS DEAD IN NEVADA.

W. P. Wilson, Former Resident of Salt Lake, Dies in Elko Hospital.

The remains of W. P. Wilson, a former resident of Salt Lake, who died last Tuesday in the hospital at Elko, Nev., will be brought to Salt Lake City for interment. A communication from an undertaker at Elko, J. L. Keyser, contained the information that the body of the young man was lying in his parlors and was to be placed in communication with his relatives. The young man had told the undertaker that he was prior to his death that his father had a real estate in Salt Lake for eight years, but had recently moved to Los Angeles.

W. P. Wilson, on receiving word of his brother's death, at once telegraphed the sad intelligence to his father in Los Angeles, who immediately telegraphed to the body brought to Salt Lake for interment. Mr. Wilson immediately made arrangements to have the remains brought to Salt Lake, and it is expected the body will reach Salt Lake today or tomorrow. The young man was only 24 years of age. He was born in Salt Lake, a number of years ago, and went to Nevada a few months ago. The cause of his death is not known, but is presumed to have been pneumonia.

LOCAL OPTION DELAY.

Very little was accomplished this morning in the senate prior to the noon time, when the senatorial caucus decided an impassioned speech in defense of his bill, 216, to prohibit the sale of liquor to women and girls in wine rooms, and the senatorial caucus on the question of saloon local option, saved the enactment clause of his bill, and it went to the foot of the calendar.

Harry Joseph, speaker of the house, furnished an amendment for a brief time. He drove into the senate chamber at 11:45 with his cigar in his mouth, and his hat on his head. Sergeant-at-Arms Day noticed for a brief time the speaker was attracting attention, then he walked over to him, notified him that he must remove his hat in the senate chamber, and he removed it, and finally with both arms to senator Williams of the appropriation committee. When the speaker returned to his seat, Joseph found that the gentleman from the house was working for an appropriation for the school of mines, out of proportion to the policy of the state for other schools, all of which have been cut materially. Joseph this week is a special friend to the school of mines, if not to the rest of the university, but at Williams' head fast to the position of his committee, that since the requests had to be trimmed, they ought to bear their losses equably.

SUNDAY CLOSING BILL.

The Sunday closing bill is apparently to go to its death on the senate table. Hollingsworth recalled it on its way to the house, where its radical amendments were to be considered first, and then rejected, and gave notice of reconsideration. It is understood that this notice was for the purpose of securing delay till death came in the final rush, rather than to pass another hour of the bill. No motion to reconsider was made this morning, and it is doubtful if one will be, unless Hollingsworth's hand is favored.

PLAGIARISM AT U. OF U.

Unique Effort of a Student Who Copies Professor's Essay.

Two weeks ago, Prof. Reynolds of the University of Utah, discovered that there were plagiarists among his students. Some of the compositions submitted were in whole or in part from the pen of other persons. Prof. Reynolds spoke to the members of his class, pointing out that such actions were reprehensible. He