

ONCE MURDERED

Such is the Declaration of Witnesses in Suit Against Harriman.

THOS. KEARNS A WORKINGMAN

He is "Somewhat Connected With Mining," According to His Testimony.

He Tells of the First Steps Taken to Build the Salt Lake Route—Shipment of Wool.

It is expected that the taking of testimony in the Harriman merger suit will close this afternoon. Among the witnesses examined this afternoon were Col. Charles Moore, locating engineer of the Salt Lake Route and W. W. Ritter.

It is expected that W. H. Bancroft, vice president and general manager of the Oregon Short Line, and two other witnesses will be examined. The federal commissioner is making arrangements to leave for Portland, Oregon, this evening, where another inquiry along the same lines will be instituted.

"We ship most of our wool and hides over the Oregon Short Line and Union Pacific east," said J. W. Sumnerhays, of Row, Morris, Sumnerhays & Co., wholesale wool and hide house of this city, in response to the question of Attorney Severance, conducting the case for the government in the hearing of the suit to dissolve the merger of Harriman lines, now on at the circuit court room in this city.

"Why don't the Rio Grande people furnish you cars as promptly as the Short Line?" was asked. "I know the Rio Grande people will not get the cars in on the switch, cars ordered from the Denver & Rio Grande must go over the transfer in the north yards, and the cars in the hands of the Short Line people. Sometimes the Rio Grande cars are left on the side track at the transfer for three and four days, and for that reason if we want cars once, we do business with the Short Line."

UNIQUE BUT EFFECTIVE. "I remember one instance of this kind in particular," said J. W. Sumnerhays. "I ordered a car from the Denver & Rio Grande, and it was sidetracked at the transfer. We could not get the car loose. Finally after several days the car was released. The car was in the clear to get the car over for us, and then we got the car."

CHEAPER TO RESHIP.

The witness stated in response to questions by Mr. Severance that wool could be shipped from down the line south of Salt Lake to Los Angeles and thence back to Boston cheaper than via Salt Lake to Boston. "The rate on wool from points west of Tooele to Los Angeles is 50 cents," said Mr. Sumnerhays. "The price of selling the wool is 15 cents; the rate of compressed wool from Los Angeles to Boston is \$1.10, or a total of \$2.65; the rate from Salt Lake to Boston on sacked wool is \$2.15 per 100 pounds."

KEARNS A WORKINGMAN.

Former Senator Thomas Kearns was the next witness called. In response to a question as to his occupation, Mr. Kearns said he was a workingman, somewhat connected with mining. Mr. Kearns testified that he was associated with the Harriman line, and that he was interested in the building of the Salt Lake Route when it was first contemplated.

OPERATIONS FOR BURGLARS

Some Very Lively Times in Criminal Circles Early This Morning.

SHOT FIRED, ONE CAPTURED.

The Charlton Shop, Fifth East Pharmacy and J. B. Henderson Commission Co. Visited.

A burglar caught after an exciting chase, an attempt to burglarize the Fifth East pharmacy and the robbery of the pay telephone box in the J. B. Henderson Commission company's store was the early morning police record of crime today.

The capture of Frank Hall was affected by Night Watchman George Houghton, assisted by two street carmen, after Hall had been detected trying to enter the Charlton shop, a millinery establishment, at No. 122 south Main street. Before Hall was caught he had led the watchman a hard chase through the alleys and down Main street.

CAPTURED BY CARMEN.

The warning shot failed to arrest Hall and he sped down Main street. The two carmen, whose names were not learned, attracted by the shot and the running man, blocked his progress and reached the watchman and held him until Houghton reached them. Hall was taken to the police station, and will be held to answer to a charge of attempted burglary.

MR. HATCH'S EXPERIENCE.

"About 3:30 o'clock this morning," Mr. Hatch said today, "I was awakened by a noise like someone kicking at the front door of the pharmacy. I went to the window upstairs, but didn't get any answer. I called again 'If you'll let me know what you want I'll come down and get it for you' but there was no answer. I went to the door and saw two young fellows hiding in the doorway. One was holding a gun. I thought then that it was a couple of mischievous boys who had been trying to fool me by making me get up."

VISIT FROM PORCUPINE.

S. Goodrich, who resides at 35 Church street, this morning reported to the police that his house had been entered by a porcupine last night. The burglar got away with two savings banks containing cash, a gold watch and some clothing. No clue.

GOVERNMENT WILL GO AFTER GOV. HASKELL

Washington, April 29.—After consideration of the reasons given by the court for its action in quashing the indictments against Gov. Haskell and others in Oklahoma, involving alleged land irregularities, the attorney-general today telegraphed instructions to the United States district attorney at Tulsa to proceed with a vigorous prosecution of those cases. The district attorney is instructed to apply to the court for a new grand jury drawn in conformity with Judge Marshall's decision and to present the cases to that grand jury.

WESTON LEAVES ST. LOUIS.

St. Louis, April 29.—Edward Payson Weston, the pedestrian, left St. Louis at 5 o'clock this morning for the west. His route to Kansas City will take him through Jefferson City, where he plans to call on Gov. Hadley.

FIGHTING AT ADANA.

Constantinople, April 29.—A telegram received here today from Adana says the fighting which began there again Sunday continued for two days; that a terrible fire was destroying the Christian quarter of the city and further efforts were being made to stamp out the Armenian population.

ONE FIREMAN DEAD; ANOTHER MISSING

Eight Seriously Injured in Fire That Destroyed an Illinois Central Elevator.

PROPERTY LOSS \$1,000,000.

"Bull" Patience Chief Loner—Grain Was Insured—Fire Believed to Have Been Caused by Lightning.

Chicago, April 29.—One fireman was killed, another is missing and eight were seriously injured in a fire which destroyed elevator "B" of the Illinois Central railroad here early today. The conflagration which was discovered at the height of a violent electric storm completely consumed the elevator and its contents. The loss is estimated at \$1,000,000.

THE DEAD.

Lieut. Patrick McElliott, James Cooper.

THE MISSING.

William O'Brien, Benjamin Ramsey, Pipeman Matthew Grier, John Ehrberg, Lieut. Devac, Pipeman Samuel Wilson, Pipeman George Dieckman.

The fire, it is believed, was caused by lightning. For hours the electric storm which burst over the city shortly after midnight, created havoc. Frequent alarms of fire kept the department busy in several sections of the city and it was in the midst of the bombardment of lightning that the elevator was discovered on fire by a watchman. The sky for miles around was brilliantly illuminated by the blaze and huge burning embers spread over the city, driven by the high wind. The elevator contained \$700,000 worth of grain, including 350,000 bushels of wheat, owned by Bartlett, Patten & Co., leaders of the bill campaign in the latter cereal. The grain is fully insured. The elevator is owned by the Illinois Central and is insured in that railroad's private insurance fund. "Elevator A" nearby, containing 484,000 bushels of wheat, also owned by Bartlett, Patten & Co., was damaged by water but the loss is said to be not serious.

SMITH COLLEGE SCENE OF TRAGEDY

Porter Smith of Chicago, a Dartmouth Graduate, Shoots Helen Marden, and Commits Suicide.

Northampton, Mass., April 29.—Enraged because she had broken her engagement with him and refused to renew it, Porter Smith of Chicago, who was graduated from Dartmouth college last year, today shot and fatally wounded Miss Helen Ayer Marden, a senior at Smith college, and then committed suicide. Miss Marden is a daughter of Frank Marden of Somerville.

SHOTS FROM THE MISSION.

The only shots fired from the mission premises were by soldiers, who, toward the end of the five days of fighting, fired from the mission grounds, the roof of the Servians headquarters upon the rioters. The soldiers explained that this was partly "to communicate with the other soldiers firing from the roof of the house" and partly to pick up the girls' school. The girls' school and at once gave the alarm. It took the missionaries five hours of hard work to put out the fire. It is probable that the best element of Adana will demand the execution of the wall. William Chambers, an American missionary, is caring for 600 refugees in his house and on his grounds.

ORDER RESTORED.

Aleppo, Asiatic Turkey, Wednesday, April 29.—Order has been restored at Deiruz, where thousands of refugees are crowded in a miserable plight. The Armenian race will recover with the greatest difficulty from the crushing and dead bodies of the victims of the last fortnight.

FOUR WORKMEN KILLED BY EXPLOSION

Tamaqua, Pa., April 29.—Four workmen were killed by an explosion in the glycerine packing house of the Potts Powder company at Tamaqua, Pa., here today. Four other workmen were injured. The cause of explosion is not known.

LEGISLATURE ADJOURNS.

Honolulu, April 29.—It was 12 o'clock last night before the final adjournment of the territorial legislature was deferred today. The session, which has been having made an excellent record, much valuable legislation having been enacted.

FEAR FOR THE RIGHTS OF SETTLERS' RIGHTS

Senator Smoot Trying to Prevent Claim Jumping on Uintah Reservation.

SECY. BALLINGER AIDING HIM.

Sends Instructions to Register and Receiver at Vernal to Do What They Can for Homesteaders.

(Special to the "News.") Washington, D. C., April 29.—To preserve the rights of settlers on the Uintah reserve and prevent claim jumping, Senator Smoot has had several conferences with Secy. Ballinger and Asst. Secy. Pierce. Owing to lack of water on most of the land, settlers are compelled to leave their holdings temporarily, and while the department has no power under the law to permit such temporary arrangements, the secretary, as a result of these conferences with the Utah senator, has telegraphed the register of the Vernal land office to refuse to file protests against entrymen except after rigid investigation as to bona fide protectors. The secretary does not propose to aid land grabbers in their practices of forcing settlers to buy off adverse claimants and under his instructions the register and receiver of the Vernal land office will do all in their power to protect the interests of settlers who are compelled to temporarily leave their homestead claims because of the aridity of the lands. Should existing conditions continue an effort will be made to secure special action at the regular session of Congress which will give the secretary more discretion than he possesses under the existing law.

EMERGENCY HOSPITALS FULL

Patients Are Suffering from Wounds. Many of Them Being Women.

Practically Entire Armenian Population of Place Homeless, Without Bedding or Clothing.

Adana, Tuesday, April 27.—Conditions in the country surrounding Adana as a result of the recent fanatical Moslem movements upon the Christian population are terrible. Dead bodies are lying out in the fields. Numerous Armenian farm houses have been burned. Conditions are most un sanitary and dysentery is appearing.

CHICAGO MANUFACTURERS OPPOSE RAILROAD BILLS

Chicago, April 29.—A large party of Chicago Manufacturers and merchants has left for Springfield for the purpose of influencing the legislature to take no action on any of the bills affecting railroads now before the house.

A BOMB EXPLOSION.

One Man Dead, Nineteen Injured, Three Shops in Ruins as Result.

Chicago, April 29.—With one man dead, 19 persons injured and three shops either totally or partly in ruins, all as a result of a bomb explosion which occurred in the city today, the Chicago police are investigating the explosion. The explosion occurred in the rear of a house, day and night under orders. On the sixth day he ordered them to put a stop to the fighting, which could have been done on the first day.

A MISSIONARY STORY.

Stephen Trowbridge, an American missionary, said today that the missionaries here, the wall himself. He had it in his power to suppress lawlessness and massacre, but deliberately refrained from doing so. He said simply "we are not responsible."

JOHNNY DAVIDSON ON TRIAL FOR MURDER

Neosho, Mo., April 29.—"Johnny" Davidson, a wealthy young woman who killed Roy Ramsour here on June 6, 1908, following a quarrel at the Davidson home, in which it is alleged Ramsour applied an epithet to the girl, is on trial here. Miss Davidson's plea is self-defense.

TURKISH TROOPS ARRIVE AT MERSINA

Mersina, April 29.—Two battalions of Turkish troops arrived here today. It is understood a strong detachment will be sent to the relief of the American women missionaries there who for nearly a fortnight have been besieged in this mission house by a horde of fanatical Mohammedan tribesmen of the surrounding country.

HEAVIEST SNOW OF WINTER IN PENNSYLVANIA

Pittsburg, April 29.—The heaviest snowfall of the winter in western Pennsylvania began last night and at Bradford today the snow was 10 inches deep and still falling. Snow shovels stored away for the summer, had to be brought out again to clear the tracks of the western New York and Pennsylvania Traction company. All traffic is experiencing delays. Trees are loaded down and many telegraph and telephone wires have been broken.

VEHICULARS MEET

Grand Army Men of Five Utah Posts in Annual Session.

COMMANDER NEVIUS IS HERE.

Retiring Department Commander Sleater Submits Report Showing Conditions of the Year.

One hundred and twenty-five delegates from the five Grand Army posts of the state met this noon in Odd Fellows hall in Market street to hold the twenty-seventh annual encampment of the state. The James B. McKean and George R. Maxwell posts of Salt Lake sent 75 representatives, the Dix-Logan post of Ogden sent 23 delegates, the W. T. Sherman post of Provo sent 11, and Hancock post of Park City 5 delegates. The council of administration met at 9:30 a. m. to adjust accounts of officers and attend to miscellaneous business, while the committee on credentials wrestled with the ever perplexing problem of the Utah rank and file. The committee on credentials consisted of the retiring commander, retired Kent, assistant adjutant general, N. D. Corser, Post No. 1, Salt Lake City; W. L. Russell, Post No. 2, Ogden; A. H. Farn, Post No. 3, Park City; H. P. Burns, Post No. 5, Salt Lake City; James Williams, Post No. 6, Provo.

WESTERN LEAGUE BASEBALL SEASON OPENS

Denver, April 29.—The Western league baseball season opened today with games at Denver, Pueblo, Wichita and Topeka. Bright warm weather greeted the fans in the Kansas cities, but in Denver and Pueblo a biting north wind made spectators shiver. Wichita and Topeka have been added to the Western league since last season's championship eight club circuit. Sioux City, last year's champions, opened the season at Wichita. At Wichita, Topeka and Pueblo, half holidays were observed and parades and other ceremonies marked the opening of the season. At Topeka, Gov. Stubbs pitched the first ball.

ROBBERY AND BEATEN ALMOST TO DEATH

New York, April 29.—John G. Hayes, superintendent of the People's Coal company of Scranton, Pa., was attacked by two highwaymen in East Eighteenth street here last night and was so brutally beaten with a club that doctors in Bellevue hospital say his condition is serious. After being knocked unconscious, he was clubbed and kicked until his face and body were badly lacerated and bruised. The foot-pads buried him to the bottom of a basement airway. There he was found some time later by tenants of the house who heard his groans. The thieves obtained a gold watch, a \$200 diamond ring and \$50 in cash. Mr. Hayes was in New York on business.

A BIG HEALTHY DEAL.

New York, April 29.—What is said to be one of the most important realty deals in recent years was completed late yesterday when the firm of Brothers of Philadelphia, signed a lease for the property on Broadway between Thirty-second and Thirty-third streets on which they have a ten-story building of a department store. For the first 21 years of the lease the total rentals will amount to more than \$100,000 net. This, and four subsequent 21-year terms, making the lease extend over a period of 84 years, will obligate the lessees to make a final payment of \$2,000,000 or \$2,000,000 in rentals above exclusive of taxes and other charges. The property covers 50,000 square feet or 22 city blocks.

SENDING DISEASE CULTURES BY MAIL

Chicago, April 29.—The practice of some physicians in sending important disease cultures through the United States mails has resulted in a warning to postmasters by Joseph Stewart, second assistant postmaster-general, concerning this class of mail matter. Hundreds of packages of this character pass through the Chicago postoffice daily and the employees have to watch carefully to see that they are prepared according to the postal regulations.

NATIONAL BANKS.

Washington, April 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 on Wednesday, April 28.

COMPTELLOR WANTS TO KNOW THEIR CONDITION ON APRIL 28.

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MAJOR PASHA EXECUTED

Second Eunuch Under Regime of Abdul Hamid Hanged on Galata Bridge.

THOUSANDS GAZED ON NUBIAN

Was Found Guilty of Having Instigated Mutiny of Troops On April 13.

His Name Was a Terror—Came to Imperial Palace as a Slave—Ex-Sultan Reaches Saloniki.

Constantinople, April 29.—Nadir Pasha, the second eunuch of the palace under the regime of Abdul Hamid, was hanged at dawn today on the Galata bridge, the great thoroughfare that connects Istanbul with the quarters of Galata and Pera. The body was allowed to swing until 8 o'clock in the morning, and thousands of the people stopped to look at the great Nubian whose name was a terror under Abdul Hamid. The dead man's face showed an underbait jaw and thick, heavy lips. In life he had been fully 6 feet 4 inches tall. Nadir was executed after a trial by court-martial on the charge that he instigated the mutiny of troops on April 13. He was reputed to be intensely ambitious, subtle minded and insensible to the sufferings of others. He was executed to order by King Abdul Hamid's private cabinet under the old regime. The other members of this cabinet were Izzet Pasha and Fehim Pasha. The former, the sultan's secretary, is now in London and the latter who was head of the sultan's spy system has been assassinated somewhere in Russia.

ABDUL AT SALONIKI.

Saloniki, European Turkey, April 29.—The deposed sultan of Turkey, Abdul Hamid, arrived here last night for Constantinople. He was accompanied by two of his sons and a suite of 17 persons, including 11 women of his harem. The party was escorted quietly to the villa in the suburbs set aside for their use.

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