

**MRS. HILTON'S ESTATE CLAIMS**

Supreme Court So Holds in Opinion in Famous Dr. Park Case.

**RICH PROPERTY INVOLVED**

Lower Courts Reversed—Decreases in Favor of Defendants Quietening Titles in Each Case.

Holding that by her own acts she was estopped from entering any claim for widow's dower to the property of the late Dr. John R. Park, the supreme court in an opinion handed down this morning declared that Mrs. Annie F. A. Hilton had lost her rights to any claim on the estate of Dr. Park under the marriage under the rites of the Mormon Church, by which Mrs. Hilton claimed she had become the wife of Dr. Park for eternity. The opinion reverses the judgment of Judge Morse of the Third district court, and was written by Associate Justice J. E. Frick and concurred in by Chief Justice D. N. Straup and Associate Justice W. M. McCarty.

The opinion has a bearing on nine cases which involved a great deal of valuable property at the hands of State street, and were tried over a year ago in Judge Morse's court. The property was sold by Dr. Park prior to his death and Mrs. Hilton by virtue of the decision which recognized the legality of the marriage in the Mormon Church claimed a widow's dower interest in the property thus sold. The parties affected by the order of Judge Morse, which upheld the claims of Mrs. Hilton, were Robert Sloan and Mrs. Hilton, Anderson and Mrs. Fred Stauffer and others; Edward Bierer and others; Nellie M. Blair and others; Sall Lake City, Mar. C. Beaman, Elizabeth Beaman and Gideon Snyder and wife. In the last named case the decree of the lower court is set aside on different grounds to the others, Judge Morse having held in this case that Mrs. Hilton had not proved the marriage but had relied on the records of the previous cases and judgments of the supreme court concerning the "eternal marriage" which he refused to admit in evidence. The supreme court upheld the lower tribunal in this decision and affirmed the judgment with costs. The other eight cases the marriage was proved and the defendants appealed on the ground that Mrs. Hilton was not the widow of Dr. Park and had never legally married him, and that she was estopped by her own acts before his death from setting up any claims to property of which he had disposed.

**HISTORY OF CASE**

The history of the case is that on Dec. 5, 1872, Annie Armitage, who was supposed to be on her death bed, was sealed to Dr. Park as his wife for eternity by the rites of the Mormon Church, which holds that marriages are solemnized for eternity and not only for time. The woman recovered, however, and on March 19, 1873, a divorce was obtained from the church, being signed by both parties. Dr. Park died on Feb. 20, 1893, and the woman had married William Hilton and had borne him 10 children. After the death of Dr. Park Mrs. Hilton demanded her dower rights in the property of Dr. Park by reason of her marriage to him on what was supposed to be her death bed. She established her rights and the supreme court held that the marriage was legal and that she could legally claim to be the wife of Dr. Park. She then proceeded to claim her dower rights in the property which Dr. Park had sold prior to his death, and the suits above mentioned followed. The divorce agreed to be between herself and Dr. Park being held to be invalid and illegal. The property which she claimed dower in was valued at about \$70,000, and has increased largely in value of late years.

**FINDINGS OF COURT**

The opinion recites that Mrs. Hilton went under the name of Annie Armitage prior to her marriage with Dr. Park, and later joined in conveyances with Hilton during the lifetime of Dr. John R. Park.

The supreme court does not deny the right of Mrs. Hilton to deny the legality of her marriage to Hilton and rely upon her marriage to Park, even though she lived for years with Hilton and bore him children, but holds that the divorce from the church which, though illegal, showed that she had abandoned forever all claim as Dr. Park's wife. The purchase of property from Dr. Park, the opinion says, had a right to rely upon her conduct toward Park, and for her to prevail would be perpetuate a wrong on innocent persons. That Mrs. Hilton permitted those innocent purchasers to deal with Dr. Park and purchase the property without protest is held to be sufficient estoppel from setting up any claim to the property now.

**DEATH OF JASPER BILLINGS**

Jasper Billings, known among his friends as Jasper Jones, age 73 years, died of general debility Monday afternoon at St. Mark's hospital. He was a veteran in Cook's brigade in the Civil war, and helped found the Little Cottonwood settlement in 1859. He was born in Wyoming county, Pa. March 24, 1837, and came to Utah in the early days of the first to discover gold near Salt Lake City. He was a member of the G. R. Maxwell post No. 5, G. A. R., which will probably conduct the services which are held to be sufficient estoppel from setting up any claim to the property now.

**DEATH OF NELLIE RALEIGH**

Wife of J. T. Raleigh Lays Down Burden After Much Suffering.

**INTERESTED IN UTAH COAL**

Robert Raw and A. D. Early, two capitalists of Rockford, Ill., a suburb of Chicago, are registered at the Knutsford. They came out here to inspect a large coal land proposition in the southern part of the state which they and associates are contemplating taking over and developing on a large scale.

**WANTS TO INVESTIGATE**

Mavor Holds Up Council Resolution Ordering O. S. L. to Vacate Park.

**COMMENCEMENT PROGRAMS**

We have just received a big assortment of samples of fancy 1910 commencement programs, and extend an invitation to members of graduating classes to call and inspect them. All orders will receive our prompt and careful attention.

**VALUES CLIMBING UP**

Figures of County Assessor Gabbutt Tell of Growth.

**Special Inducements**

Purest drugs, best quality toilet articles and toilet water and general druggists supplies at lowest possible prices—all the time.

**Both Phones. 148**



**WOMEN WILL BUILD A NEW CLUBHOUSE**

Ladies' Literary Club Home Sold to Independent Order of B'nai B'rith for \$8,250.

The Ladies' Literary club house at 20 Third East street, which was one of the first of its kind in the west, was sold Monday to the B'nai B'rith lodge No. 421, Independent Order of B'nai B'rith. The deal was made through the Houston Real Estate & Investment company, and the Jewish society paid \$8,250 for the building. It will be used by the society as a club house.

The society decided to purchase the property at a meeting of the trustees. The society is composed of the prominent Hebrews of Salt Lake, having 120 members. I. Siegel is president, David Levinsky secretary, Rabbi Charles A. Freund, Sig Simon and Albert Gruppe, trustees.

The building committee of the Ladies' Literary club has not decided definitely on a location for the plans for the new club building. It has been under advisement for some time, but now that the present club building has been sold, the plans for the new building will be decided upon. The committee is composed of Mrs. Elmer H. Jones, chairman; Mrs. William C. Jennings, Mrs. Frank B. Stephens, Mrs. George E. Stahl, and Mrs. William R. Hutchinson.

Mrs. Jones intends to go east and visit a number of club houses to obtain ideas for the club house which will be built here.

The Ladies' Literary club was organized in 1877 and Mrs. J. C. Royle was president. It was incorporated in 1882 and rechartered in 1899. The club from which the present organization sprang was called the "Blue Tea" club. When the club was first organized it had a membership of 14. Now it has an increased membership of 200, including the most prominent literary and club women in Salt Lake.

**GROCERY STORE ENTERED**

Thieves broke into J. Widner's grocery store, 509 north First west street Monday night and made off with about \$15 worth of groceries. Entrance was gained by smashing open a rear door. The robbery was reported to the police this morning and officers are working on the case.

**STILL HOLDING BOND**

On both the Jones building and the Hotel Utah the Jones company has bonds filed of \$100,000. Dick Jones said this morning that this money was his personal fund. Mr. Dwyer, he said, had furnished the working capital and that the Jones company understood that the Jones company is trying to draw down the bonds, but that neither the American Bridge company, which has level of timber contracts, nor the Modern Structural Steel works of Waukegan, Wis., the contractors of the Kearns building, would consent to this until the works are completed. The robbery was reported to the police this morning and officers are working on the case.

**AFTER BOOTLEGGERS**

Uncle Samuel is yearly growing harder hearted in his dealings with traffickers on his public domain in the cup that cheers and also infuriates. A few days ago the treasury department made a raid which was the head office in this city, meaning the preceding paragraph, and should be arrested and reported for prosecution whenever found guilty. The preceding paragraph is paid by them within the calendar month in which the liability is reported or such cases so far as he was concerned.

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**JOES ANSWERS HIS ACCUSERS**

Declares Police Theory and Dwyer's Imputations Will Make Work for Lawyers.

**FRANK WILSON STILL HERE**

Man Who Narrowly Escaped Jail in First Dynamite Episode Has Something to Say.

There are cumuli clouds, with very dark backgrounds, which are hovering about the dynamiting of the Hotel Utah, and these are liable to run into cold atmosphere and precipitate a deluge which will astonish all Salt Lake. Dick Jones, manager of the former Jones company which had the contracts for erecting the steel works of the Hotel Utah and the Kearns building, is charged by J. J. Dwyer, his former financial partner, and tentatively by the police, with having done the dynamiting of the Hotel Utah on the morning of Monday, April 18. And it is also the theory of the police that he was the main instrument in the other explosion of Dec. 19 last.

"I have been charged with the commission of both crimes by Mr. Dwyer," said Jones this morning. "There is absolutely nothing in it and there is nothing upon which my accusers can base their accusations. Why should I be implicated in an attempt to blow up the structure which I was erecting? I have been assaulted by union men twice in the last six months and this is a nefarious plot to cover their own operations. I have nothing more to say upon the subject but this, and that is in a few days there will be employment for a number of lawyers in Salt Lake."

On investigation it has been brought to light that Frank Wilson, the man who was charged, together with 55 Delaney, with throwing the explosives into the Hotel Utah on the morning of Dec. 19, is in the city and has been here ever since he was freed by Judge Bowman. He is at work on one of the railroads and has been keeping very quiet since his late trouble. Seen this morning, he had little to say other than that Dick Jones was the "man behind the curtain" as far as the dynamite, the first dynamite of the hotel, Wilson would say but little but reiterated that time would bring out the truth of the explosions which have aroused the city and which he has been trying to offer a great reward for the apprehension of the perpetrator of its latest outrage.

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**IS GUILTY OF THEFT**

So Declares Witness in Ore Theft Case in Federal Court Today.

**ALWAYS MAKING CHANGES**

From Day to Day Underground Workings of the Mine Would be Altered Beyond Recognition.

In rebuttal to the testimony of Thomas Kearns and the engineers employed by the Silver King Coalition company, Frank Anderson, a surveyor, engaged by the Silver King Consolidated Mining company, testified this morning at the hearing of the suit brought by the latter company before Special Commissioner John W. Christy, in regard to the Parsons stope which was gutted of rich ore and then filled up. While Anderson was making his survey in the mine the honeycombed of drifts, stopes and raises was continually changing. On one day he would find a stope and the next day it would be caved in and partly filled with waste material. Anderson was unable to say where he was doing the work, but the ground was made so dangerous in some places that he and his surveying gang were afraid to pass through the stopes. Anderson was in the Parsons stope and the connecting tunnels several weeks before he could obtain an accurate survey of the underground workings.

The working model of the mine between the 1,200 and 2,000 level, which includes the Parsons stope, and offered as an exhibit by the coalition company, was declared to be incorrect by Anderson in several particulars. He will produce figures before his examination is completed to show the discrepancy. Where the 1,200-foot level enters the Parsons stope at the Cave raise, he declared it is 25 feet high, while the exhibit only shows it to be three or four feet high.

**FOREMAN STOPPED HIM**

Anderson pointed out on the exhibits the inaccessible parts of the mine which he encountered. He began on the 1,500-ft. level under the Vesuvius and Andes claims. He was unable to get through the raises and stopes to any extent. On the 1,200 level he ran upon several bulkheads of waste and timber which had been thrown in and had crossed the roof by dynamite. It took several days to explore the Parsons stope, he said. There was one section which he and the men were afraid to enter. They kept trying to get through the raises and side stopes. Water was found in the bottom of some of the stopes. Soundings made at these points showed that he was unable to tell whether these places had been filled in or not.

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This is an increase in one year of \$690,104.

The great increase in city values is largely due to the fact that the recently built skyscrapers are included for the first time, as last year they were in a state of incompleteness in the county the increased valuation is mostly in farm lands.

**UTAH BOY KILLED IN IDAHO**

Robert Ashford of Beaver Caught in a Cave-in at Blackfoot.

(Special to The News.)

Blackfoot, Ida., April 19.—A fatal accident occurred on the sewer trench here last night. Robert Ashford, a youth of 22 from Beaver, Utah, who had been at work but one day, was caught in a cave-in and killed.

Mrs. Laura Davis, wife of Dr. Joseph B. Davis, died last evening of apoplexy. Funeral will be held Wednesday at 2 p. m. from the Methodist church. She was survived by her mother, her husband and a son and a daughter.

**WOMEN'S CLUBS MEET ON MOTHER'S DAY PLAN**

Considerable Business Transacted at This Morning's Session—Committees Named and Program Outlined.

An unusually busy session of the press and publicity committee of the Women's Federation of clubs was held this morning at the rooms of the Ladies' Literary club on Third East street, at which many important committees were appointed in reference to mother's day and it was decided to hold a mass meeting of adults on the evening of May 6, at which an excellent program is being arranged, and to give a grand ball at the Odéon hall for the younger people the same evening.

The following business was transacted:

The dance committee decided on May 6 as the date for the grand ball at the Odéon hall, and the following names were added to the committee of arrangements, of which Miss Sybella Clayton is chairman: Lucile S. Frank, Edna Dunn, Joy DeCamp, Minnie Baer, Aileen McMillan, Mildred McMillan, Miss Elinor Stewart, Miss Della Fabian, Loren Leary.

The following new members were added to the press and publicity committee, of which Mrs. B. P. Tibby is chairman: Mrs. W. N. Williams, Mrs. Heber J. Grant, Mrs. Job E. Lyon, Mrs. John C. Daly, Miss Ina Bothwell.

It is now announced that the Red Cross societies and Young Ladies mutuals have identified themselves with the work, and are represented by Mrs. W. N. Williams and Mrs. Heber J. Grant.

A finance committee, consisting of Mrs. J. C. Miller, chairman, and Miss Sybella Clayton and Miss Ida Haneur, was appointed.

At the meeting, it was also decided to hold a general mass meeting at the Methodist church on the evening of May 6, beginning at 8 o'clock, for which a splendid program is being arranged. The object is to give prominence to the work in hand, and to induce the co-operation of others who should be aligned in this labor.

**LATE LOCALS**

Mrs. J. A. Anderson Critically Ill—Christina, the wife of Joseph A. Anderson, 326 J street, is lying critically ill at the Dr. Groves E. S. hospital.

Five Smallpox Cases—Earl, aged two years, and Mabel, aged four years, children of W. Green at 418 west Seventh South street, have been reported to the board of health as suffering from smallpox. This makes three cases of smallpox in the Green household. Lyle, aged eight years, son of the same family, has contracted the disease two years ago.

**CHARLES J. OSBORN DEAD**

Dean of the Associated Press Passes Away in St. Louis.

St. Louis, April 18.—Charles J. Osborn, 84 years old, and dean of the Associated Press, died here tonight after an illness of several weeks.

He was correspondent of the Associated Press in St. Louis from 1853 to 1902, when he retired. He continued his affiliation with the St. Louis office in 1853, from Cincinnati. Two years later he entered the service of the Associated Press as an operator and shortly afterward became correspondent.

He was manager of the O'Reilly Telegraph company, with offices in Chicago, from 1851 to 1853.

While working in Pittsburgh, he became acquainted with Andrew Carnegie, then a messenger. Before learning telegraphy, Major Osborn was a reporter on the Cincinnati Herald.

He is survived by a sister, Mrs. Elizabeth Palmer of Rochester, N. Y.

**ASQUITH'S GUILLOTINE BILL IS ADOPTED**

London, April 18.—After a stormy sitting arising out of a personal incident between William O'Brien and Chancellor Lloyd-George, attacks by the Conservatives upon the government's alleged surrender to John Redmond, leader of the Nationalists, and a warm repudiation by the ministers of any such bargaining, the house of commons tonight adopted Premier Asquith's guillotine motion, under which the finance bill must be disposed of by April 27. The motion was adopted by a vote of 345 to 252.

**BRYAN IS ENTHUSIASTIC OVER SOUTH AMERICA**

New York, April 18.—William J. Bryan came home today. He reached New York full of enthusiasm about the wonders of South America and with absolute no desire so far as he was concerned to admit, about the state of affairs politically in this country.

Mr. Bryan left Lincoln, Neb., on November 13, spending some time in the southern states. On Dec. 16, he left Key West for Havana. Thence he went to Jamaica, Panama, Peru, Bolivia, Chile, Argentina and Brazil, returning by way of Porto Rico.

"The object of my trip," he said, "was the study of economic and social conditions in South America."

"What are the chances of the Democratic party?" he was asked.

"Good, always good," he replied.

**ONE SAYS 'NO'; THE OTHER 'YES'**

**Burt Brown Admits Robbery of Home of Wallace Bransford.**

George X. Wilcox and Burt Brown, charged with robbing the residence of Wallace Bransford on March 24, 1910, were arraigned before Judge Lewis today.

**WILSON DEERS PLEADING**

Men Caught With Murderers of George Fassell Arraigned Before Judge Lewis Today.

George X. Wilcox and Burt Brown, charged with robbing the residence of Wallace Bransford on March 24, 1910, were arraigned before Judge T. D. Lewis of the criminal division of the Third district court this morning. The information charged them with grand larceny in stealing a silk purse of the value of \$10, a diamond ring valued at \$50, gold breastpin worth \$5, diamond brooch valued at \$50 and \$25 in money, a total of \$140, the property of Wallace Bransford. Wilson was arraigned first, and he asked for the statutory time in which to plead. His plea will be entered Thursday morning at 10 o'clock. Brown, however, pleaded guilty at once, and time for receiving sentence was fixed for Thursday morning.

**OFFICERS STILL PURSUE TRAIN ROBBERS**

Martinez, Cal., April 19.—With two heavily armed posse leaving here early today for the vicinity of Redwood canyon, the chase after the train robbers who held up the China-Japan mail Saturday night is converging toward the Livermore valley, where the bandits may have boarded an overland train.

The first posse to leave here consisted of 10 men. This posse went direct to Walnut creek, from which the Dublin road through Redwood canyon to the Livermore valley. The second posse left for the San Joaquin hills by way of Alhambra and Lafayette. From the latter place the posse will proceed southward through San Pablo and Wildcat canyon to Berkeley.

Sheriff Veale is convinced that the two men seen yesterday at Walnut creek are the bandits and he expressed the opinion that they were making for an overland train at either Banta or Tracy by way of Redwood canyon and the Livermore valley.

**DR. TWYMAN, LEADING WITNESS IN HYDE TRAIL, DEAD**

Kansas City, April 18.—Scarcely had the state completed its opening statement in the murder trial of Dr. B. C. Hyde today, when Dr. G. T. Twyman, one of the prosecution's most important witnesses, died at a local hospital. He was stricken last Saturday. Acute diverticulitis caused death.

Dr. Twyman was for years the Swope family physician. When the nurses struck at the residence and accused Dr. Hyde, they carried their complaint to Dr. Twyman. He called Dr. Hyde to his office and told him he was suspected of the crime. Dr. Twyman's opinion pertaining to his duties as a physician, Dr. Twyman was in the confidence of the Swope family.

Upon his state depended largely to prove Dr. Hyde had James Moss Hunted to death. He was also expected to testify regarding the alleged attack on the residence of Mrs. Margaret Swope. Miss Swope was Dr. Twyman's patient when it is said Dr. Hyde tried to kill her.

When Dr. Hyde's attorneys took a deposition from Dr. Twyman, he refused to criticize Dr. Hyde. Without going into detail, Dr. Twyman said he appeared in general that he had succeeded in connection with the illness of various members of the Swope family.

So valuable did the state consider the testimony of Dr. Twyman that at one time Prosecutor Conkling thought of dismissing the jury which had been chosen, but not sworn, and awaiting the recovery of the physician before proceeding with the trial.

**TRANSMUTATION IN FROG'S EGG IS ACCOMPLISHED**

Paris, April 18.—Before the academy of science tonight Eugene Battailon, professor of biology at the University of Dijon, announced that he had succeeded in developing two tadpoles by producing transmutation in a frog's egg with a platinum wire. The experiment constitutes a most important advance in the phenomena of parthenogenesis.

**NATIONAL ACADEMY OF SCIENCE MEETING**

Washington, April 19.—With a good representation of its membership in attendance, the national academy of sciences, recognized as the foremost scientific body in the United States and semi-governmental in its organization, opened at the Smithsonian institution here today. It will continue until tomorrow.

A meeting of the council this morning was followed by a business meeting and during the afternoon at a public session a number of interesting papers were read. Business meetings and afternoon public sessions for the reading of papers will take place each day.

Among the important business to be transacted is the election of a foreign secretary to succeed the late Alexander Agassiz of Cambridge, Mass., the election of a number of new members, and the reading of a paper which has achieved something noteworthy in the world of science, and the election of new foreign associates.

One of the most interesting of the 30 scientific papers to be presented is that of George E. Hale of the solar observatory at Mount Wilson, Cal., in which he will speak of solar and photographic observations of the planet Mars.

**BIG DECLINE IN PRICE OF PORK**

Chicago, April 19.—Recent heavy arrivals of hogs are reflected in a decline in prices of \$1 in the last two days.

A few weeks ago hogs sold at the highest since the Civil war, thus attracting heavy shipments, in view of which the present reaction is not considered surprising.

"Salt pork on the board of trade recently underwent a decline of about \$3 but the market steadied today on buying by packers who were able to purchase the cured product on a basis of 8 1/2 cents a pound, as compared with 5 cents for the live animal.

**WEATHER REPORT**

Fair Tonight and Wednesday.

**TODAY'S TEMPERATURES**

8 a.m.	.....
9 a.m.	.....
10 a.m.	.....
11 a.m.	.....
12 m.	.....
1 p.m.	.....

**YESTERDAY'S RECORD**