

HASKELL WILL NOT BE FORCED TO FACE TRIAL

INDICTMENTS AGAINST OKLAHOMANS QUASHED

COURT HOLDS GRAND JURY WAS TOO NUMEROUS

Six Associates of Chief Executive of New State Also Are Exculpated. Cases May Be Brought Again

[By Associated Press.]

TULSA, Okla., April 10.—Governor Charles N. Haskell, Oklahoma's first chief executive, and several other prominent Oklahomans, indicted by the federal grand jury charged with fraud in Muskogee town lots, will not have to stand trial. The motion of the defendants to quash the indictments was upheld today by Judge John A. Marshall in the United States circuit court.

The court in its decision, which was a long one, quashed the indictments on the ground that they were returned by a grand jury composed of twenty-three men under the federal law instead of a jury of sixteen, as provided for by the Arkansas law which was held to be in force in the old Indian Territory by federal enactment at the time the alleged frauds were committed.

Sylvester Rush, special assistant attorney general, who worked up the cases for the government, stated after the opinion was handed down today that he would again bring the matter to the grand jury, submitting it without delay to the body now in session. The defendants affected by today's decision, besides Governor Haskell, are:

Men Who Escape Trial

Clarence W. Turner, Muskogee, aged 55; proprietor of a hardware company, former member of the city council.

Walter R. Eaton, Muskogee, aged 40. He is a native of Kansas. He was secretary of the Indianapolis Construction company, of which Governor Haskell is president. The company scheduled a large number of town lots.

He was indicted jointly with Governor Haskell and C. W. Turner on one indictment carrying forty-eight counts.

William L. Hutchings, aged 46, lawyer, real estate dealer, and member of the Oklahoma bar. He was born in Virginia. He had been offered a seat on the bench of the supreme court of Oklahoma, but declined it.

F. B. Severs, of Muskogee and Okmulgee, Okla., aged 74. He was born in Arkansas, came to Indian territory when a young man and taught in the Indian schools. He married a half-breed Indian, became a Creek citizen by adoption by the Creek council, engaged in mercantile business, was an extensive dealer in land and timber, and was a member of the Muskogee city council.

A. S. English, aged 41, son-in-law of F. B. Severs, lawyer, capitalist, manager Muskogee, held large interests in local telephone companies and formerly was a member of Muskogee city council. He is now in Los Angeles, Cal.

Jesse Hill of Muskogee, aged 38, and a native of Texas. He was indicted jointly with English and Severs.

He came to Muskogee in 1900 and became interested in the Canadian Valley Trust company, now defunct. He is a lawyer by profession and became identified with Severs and English in the scheduling of lots.

English is Absent

Mr. English wrote recently friends in Muskogee that he expected to return to his home about April 15. He underwent an operation recently in California and for a time his life was despaired of.

The aggregate wealth of the seven men is said to be over \$2,000,000. The indictments against them numbered thirteen. They charged alleged conspiracy to defraud the federal government and the Creek nation in connection with scheduling of Muskogee town lots in 1902.

Governor Haskell with a party of state officials and friends went to Muskogee with a party of state officials and friends to Muskogee to inspect the capitol at Guthrie on a special train. His trip developed into a demonstration of an unusual character and when the train arrived at Muskogee it was met by bands and cheering thousands. Hundreds of men, some of them the most prominent in the state, marched in a procession to the capitol building at Guthrie. At the hotel the governor responded to wild clamors for a speech and from the hotel veranda declared he had been attacked and when the train returned to Muskogee that time would vindicate him. Several hundred prominent men from all parts of the state had previous to his arrival in Muskogee voluntarily signed a bond and when Governor Haskell appeared in court himself to affix his own signature to that paper the incident was turned into another demonstration. Today's demonstration follows the filing at Muskogee March 14 of a motion to quash all the indictments.

Petition is Sensational

The petition was sensational in character, alleging misconduct on the part of Sylvester Rush of Omaha. It alleged government secret service operations gave hearsay testimony before the grand jury; that important testimony was suppressed; that the government denied the jury's request for certain testimony; and that witnesses were coerced, being told by Attorney Rush that indictments should be returned for the reason that the government wanted it done. Mr. Rush appeared personally at Tulsa in the present hearing and denied these allegations.

Today Mr. Rush declared that Judge Marshall's opinion overturning the indictments was purely a decision on a technical point, and that it did not affect the standing of the government's allegations. These charges, he said, would be pushed unrelentingly and without delay.

Attorneys for the accused assert the statute of limitations will intervene to prevent new indictments being returned.

Liquor Men Win Point

MONTGOMERY, Ala., April 10.—One of the strongest sections of the state prohibitory law was declared unconstitutional here today by Justice Mayfield. The section attacked prohibited the storing or possession of liquor in any building or apartment which was inhabited. Under this ruling the hotels and cafes whose places were raided a few days ago have brought suit to set aside the seizures.

Bennett's Yacht Damaged

CHRISTIAN SCIENTISTS TO CAMPAIGN FOR FOLLOWERS

Mrs. Eddy Gives Sanction to Leasing Hotel Ballroom in Which to Hold Meetings

NEW YORK, April 10.—As a means for carrying on a campaign for recruits in Upper Fifth avenue, the Christian Science church has leased the grand ball room of Hotel Plaza for Sunday for one year. The room has a capacity of 800 and the first service will be held tomorrow afternoon.

Part of the hotel orchestra will provide music to accompany the hymns. This move by the Christian Scientists is the forerunner of a plan to build a church in the neighborhood, although there are already six Christian Science churches in the city.

Mrs. Eddy's sanction to the hotel innovation was obtained before the contract was signed. The consideration for the use of the ball room was not announced.

CRAWFORD WILL BE BURIED TEMPORARILY

NOVELIST'S WILL TO DETERMINE FINAL GRAVE

Funeral is Delayed Until Monday, as Church Does Not Permit Requiem Mass During Holy Week

SORRENTO, Italy, April 10.—The funeral of F. Marion Crawford, the American novelist, who died here yesterday, will not be held until Monday. The body will be placed temporarily in the chapel of the little cemetery of St. Angelo until the will has been examined and it is learned whether Mr. Crawford expressed in it any wishes regarding his last resting place.

A delegation from the municipality of Sorrento, headed by the mayor, went today to St. Angelo to beg for the honor of having Mr. Crawford's body lie at Sorrento. Mrs. Crawford replied that although she appreciated the honor highly, if her husband's body remained in Italy it must lie at St. Angelo, where he worked and lived.

The mayor of St. Angelo has issued a manifesto inviting the people to follow the lead of the "illustrious and honorable citizen who immortalized the beauties of Italy in his works."

Not a bit surprising," said Cooper when he heard of Mrs. Smith's statement. "This woman's experience is like thousands of others. There is a great deal of ignorance or misunderstanding about the care and treatment of the stomach. I don't pretend to accomplish miracles but simply to put the digestive organs in normal shape by a sane and simple method. My contention is that the stomach is the seat of life and that the entire system depends on its proper action. Why are there so many half-sick people today? Simply because the stomach of a man or woman lives a shut-in life after day. It is incapable of taking the exercise it requires and cannot digest the amount of food forced on it. It gradually grows weaker under these circumstances and nervousness, kidney trouble, rheumatism and a hundred other ills are the result. I am successful with my method because my medicine clears the food tracts that have become clogged, gets the digestive apparatus regulated and gives nature a chance to do her work in the physical nutshell—give nature a chance."—Adv.

PROSECUTOR REPUDIATES CHARGES OF GRAFT MADE

Chicago's District Attorney Causes Several Raids to Be Made on Gambleria

CHICAGO, April 10.—Gambleria and poolroom operators were plunged into panic last night and early today by several exciting raids in which the Chicago police cut and looked up by the detectives under the direction of State's Attorney Wayman.

The action was taken without the knowledge of the police. When notified Mayor Bause expressed himself as heartily in favor of the crusade. He declared he would make an investigation of conditions and it is rumored that there will be a shakeup in the police department.

The energetic and sudden action of the state's attorney is said to have been caused by reports the gambleria had been boasting that they had him "fixed" and that the "lid" would be off so long as he was in the state prosecutor's office.

Early this morning detectives raided a downtown hotel, the tip having gone out that a big game was in progress among men prominent in Chicago affairs. When they reached the room in which the game was held the occupants had disappeared, leaving behind cards, chips, bank checks, none of which had been signed, and, chief of all, a book containing, it is alleged, the names and records of those who had taken part in the play.

Among the names, it is said, are those of bankers, brokers and merchants. The detectives left to make a raid on another place, which they refused to locate in advance.

Statue of Joan of Arc Removed

PARIS, April 10.—Following an order issued by Minister of Public Instruction of Doumergue, the equestrian statue of Joan of Arc by Paul Dubois, which has stood in the Louvre for fifteen years, was removed secretly Thursday and is now established in the Pantheon. Significance attaches to the act on account of the recent violent demonstrations of Royalist students at the Sorbonne against Prof. Thalamas, the author of a book alleging that the history of Joan of Arc is largely mythical.

Grand Jury Holds Brief Session

SPOKANE, April 10.—The grand jury held a brief session today, the chief witness being J. B. Schlegel, president of the defunct Pacific Live Stock association, the officers of which are accused of taking huge sums as commissions on the company's business. The acts of State Insurance Commissioner B. H. Schively, who was an official of the company while in the state's employ, are supposed to be receiving special attention.

Body of Man Missing Is Found

TACOMA, April 10.—The body of James A. Rice, who had been missing several weeks, was found in the brush in the western part of Tacoma this morning. Three bullet holes were found in his body, and the police believe he was murdered for revenge by unidentified persons. He was a contractor, well known in the northwest.

Night Riders Active

PADUCAH, Ky., April 10.—Night riders are again active in Western Kentucky and Tennessee.

SHRINE AUDITORIUM CHRISTIAN LECTURE

By Prof. Hermann S. Hering, C. S. B., of Concord, N. H. SUNDAY AFTERNOON, APRIL 11, 1909, at 3 o'clock. Doors open at 2:15 o'clock.

VIGOR'S RENEWAL AMAZES INVALID

FORMER SIERRA MADRA MARRIAGES AT RECOVERY

STOMATOLOGIST BARES SECRET OF DECLINING HEALTH

Woman Describes Remarkable Instance of Rapid Improvement Effected in Her Physical Condition

Among a number of statements made at the Owl Drug Store Saturday by persons who have taken and benefited by the preparations of L. T. Cooper, the young western stomatologist, who makes his headquarters at the Owl Drug Store, 625 South Broadway, are the following: Mrs. Alice E. Smith of 124 West Thirty-third street, Los Angeles. She was formerly a resident of Sierra Madre. Mrs. Smith said:

"For the past five years I have suffered greatly with stomach trouble, caused by catarrh. I endured agony every minute of the day and felt that my case was hopeless. When I would eat food I nearly always had to take to my bed. The fermentation would cause gas to rise in my stomach until I was almost suffocated. Later on I could take nothing but liquids. I could scarcely walk one block without having a fainting spell. I tried all kinds of remedies and consulted a number of physicians, but it seemed impossible to get relief. When I was completely worn out and discouraged one of my friends told me about the Cooper remedies. I had many doubts about them because I had tried so many and only met with failure. However, I consented to give them a trial. I bought a bottle at the Owl Drug Store and began taking the medicine according to directions. To say that I was astonished at the result is not half telling it. Relief came to me in a very short time. Now I feel like a new woman and there is no more gas on my stomach. I find it possible to eat and relish anything that takes my fancy. There is no more gas on my stomach and I am enjoying life as never before. I have gained in weight and feel better and brighter in every way. I feel positively joyous over my recovery and I cannot say too much in praise of the Cooper treatment."

"Not a bit surprising," said Cooper when he heard of Mrs. Smith's statement. "This woman's experience is like thousands of others. There is a great deal of ignorance or misunderstanding about the care and treatment of the stomach. I don't pretend to accomplish miracles but simply to put the digestive organs in normal shape by a sane and simple method. My contention is that the stomach is the seat of life and that the entire system depends on its proper action. Why are there so many half-sick people today? Simply because the stomach of a man or woman lives a shut-in life after day. It is incapable of taking the exercise it requires and cannot digest the amount of food forced on it. It gradually grows weaker under these circumstances and nervousness, kidney trouble, rheumatism and a hundred other ills are the result. I am successful with my method because my medicine clears the food tracts that have become clogged, gets the digestive apparatus regulated and gives nature a chance to do her work in the physical nutshell—give nature a chance."—Adv.

ZENATELLO TO TAKE PLACE OF CARUSO, ITALIAN TENOR

Metropolitan Opera House Force to Go to Chicago for Two Weeks' Engagement

NEW YORK, April 10.—For a two weeks' engagement 400 members of the Metropolitan opera house force, having finished the season here, leave today for Chicago.

Enrico Caruso, the Italian tenor, has been announced as one of the leading attractions of the western engagement, but his health has been so poor that he has ordered him to rest for several months.

In this predicament, the Metropolitan forces have been strengthened by the addition of Zenatello, one of Oscar Hammerstein's tenors, who will replace Caruso through the courtesy of Mr. Hammerstein. Zenatello was to have sailed for Europe today, but has postponed his trip. The railroad fare alone for the transporting of the singers and orchestra from here to Chicago will amount to more than \$10,000.

Tells of Campaign Fund

MADISON, April 10.—Governor James O. Davidson gave his version today of the \$1200 campaign fund sensation, which came out in the testimony of Chief Game Warden J. W. Stone before the senatorial primary investigation committee. The governor denied having knowledge as to where the \$1200 came from and said the members of the committee knew more about the affair than he did. "The money is in my hands. If that money was collected from the wardens I am ready and anxious that every dollar of it should be restored to them," said the governor.

Press Men to Go to Bermuda

NEW YORK, April 10.—The International League of Press-clubs has selected Bermuda as the place for holding this year's convention, which will be held from May 22 to May 26. Buffalo, Niagara Falls, Atlantic City, Seattle and Put-in-Bay, Ohio, were anxious to have the convention, but announcement has just been made that Bermuda has been chosen. Delegates will assemble here May 19 and will sail for Bermuda the next day on the steamer Bermudian.

Train Derailed

COLUMBIA, Ga., April 10.—The Florida fast mail train on the Seaboard Air Line was derailed forty-six miles south of Columbia this morning. Five white persons and three negroes were injured, two of them tramps. There is evidence that a switch had been tampered with.

It There's Something Useful Which You Can Teach—even for a Small Part of your Time—a Word will Keep you Busy.

AMUSEMENTS

Hamburger's MAJESTIC THEATRE Broadway, between 5th and 9th. All this week Matinee Wednesday Matinee Saturday

The Comedy Success of Two Seasons DANIEL SULLY As Father Daly in his greatest triumph, THE MATCHMAKER

MOROSCO'S BURBANK THEATRE LOS ANGELES' LEADING STOCK HOUSE Second Big Week Matinee Today THE SEASON'S BIGGEST MUSICAL COMEDY SUCCESS

SEVENTEEN SONG HITS Gay New York SIXTEEN SALOMES EVERYTHING NEW Regular Burbank prices: 10c, 25c, 35c, 50c. Next week—"SALOMY JANE."

MASON OPERA HOUSE H. C. WYATT, Lessee and Mgr. Week April 12th—Matinee Wednesday and Saturday. SAM S. and LEE SHUBERT, Inc., Directing the Tour of MADAME NAZIMOVA

In Her Repertoire in English: Monday, Tuesday and Wednesday Evenings and Wednesday Matinee. Thursday Evening Only. A Doll's House Hedda Gabler FRIDAY AND SATURDAY EVENINGS AND SATURDAY MATINEE.

Comtesse Coquette First Appearance in Los Angeles of this Brilliant New Russian Star after two years of sensational success in New York. BIJOU THEATER COMPANY AND COMPLETE PRODUCTIONS Prices—50c to \$2.00. Next attraction—Nat. C. Goodwin and Edna Goodrich. Seats Selling.

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ORPHEUM THEATER Matinee every day Both phones 1447

The Choice of the WORLD-STARS Appar TWICE Every Day in the ORPHEUM Who Play in

"A Modern Pocahontas" With Emma Rainey and Real Indians. 6 Little Girls and Teddy Bear Featuring Everett Scott. 8 Kita Banzai Troupe Foremost Japanese Acrobats. G. Herbert Mitchell Baritone Soloist and Raconteur

Nights—10c, 25c, 50c, 75c. Matinee daily—10c, 25c, 50c

FISCHER'S THEATER HIGH CLASS VAUDEVILLE AT POPULAR PRICES Week beginning April 12, the peerless and world renowned 6—SUGIMOTOS—6

The cream of acrobatic art. First appearance in Los Angeles. Direct from Imperial Theater, Tokio. Don't miss them. And four other high class, amusing and entertaining acts, supplemented by the best of moving pictures and illustrated songs. No advance over Fischer prices. Daily matinees and two shows nightly. Prices 10c, 20c, 30c

EGG DAY AT VENICE AUDITORIUM 20,000 Easter Eggs Given Away SPECIAL FREE ATTRACTIONS Refreshments served. Anheuser-Busch Beer on draught. ADMISSION FREE.

EMPIRE FAMILY THEATER UNDER NEW MANAGEMENT 125 East Third St., between Main and Los Angeles

VAUDEVILLE Evening shows 7:30 and 9. Souvenir matinees Wednesday and Saturday. Extra matinee Sunday.

LOS ANGELES THEATER Special Free Attractions EVERY DAY AND EVENING NIGHT 10c, 20c, 30c

LOS ANGELES RACING ASSOCIATION 7 RACES EVERY WEEK DAY 7 Raia or Shine

First Race at 1:50 P. M. Santa Anita Park Pacific Electric and Southern Pacific Race Trains direct to grand stand. ROUND TRIP 25c ADMISSION \$1.00

COLISEUM WORLD'S RECORD TRACK Under Management of John S. Prince

Derkum vs. DeRosier Sunday, 2:30 p. m. West Against East Admission 25 Cents SIX OTHER BIG RACES No dust. Seats for all. Take Moneta ave. cars.

BASEBALL—THIS WEEK—PACIFIC COAST LEAGUE CHUTES PARK VERNON VS. LOS ANGELES, APRIL 10, 11. Game called at 2:30 Admission 25c.

AMUSEMENTS

BELASCO THEATER Every night this week at 8:15. Matinee TODAY, Thurs. and Sat.

Sixth Big Week of This Great Hit Starts Tomorrow No play that has ever been given by a stock company anywhere in the world has secured the tremendous success that has come to LEWIS S. STONE and the Belasco theater company in George Broadhurst's great play.

The DOLLAR MARK

Here are excerpts from the Los Angeles daily papers. No play that has ever been produced in this city has been greeted with such a unanimous chorus of praise. Just read these:

"The Dollar Mark" is a better play than Broadhurst's "The Man of the Hour."—The Times. "The Dollar Mark" is the liveliest play of the times."—The Examiner. "The Dollar Mark" is a smashing good show."—The Herald. "The Dollar Mark" is so human that it ought to get the money."—The Express. "The Dollar Mark" is the greatest play that George Broadhurst has yet produced. From beginning to end there were storms of applause."—The Record. "Broadhurst's 'The Dollar Mark' is an incontestable success."—The Evening News.

THIS NEWSPAPER PRAISE HAS BEEN SUPPLEMENTED BY OVER 15,000 THEATRE-GOERS OF LOS ANGELES WHO HAVE UNITED IN DECLARING "THE DOLLAR MARK" TO BE THE SUPERLATIVE SUCCESS OF THE ENTIRE YEAR.

Tomorrow will see the final week of this great play ushered in. If you're one of those who have not been able to get seats for this big play, by all means don't overlook this last opportunity. Remember, regular Belasco prices prevail for "The Dollar Mark." Every night, 8:15 to 7:50. Matinees today, Thursday and Saturday, 2:30 to 5:00.

NEXT WEEK—Positive production of Jerome K. Jerome's delightful comedy success, "MISS HOBBS," with Florence Reed, the new Belasco leading lady. Seats on sale tomorrow morning.

GRAND OPERA HOUSE Home of Music and Gaiety. Matinee TODAY at 2:15. COMMENCING THIS AFTERNOON

FERRIS HARTMAN and his big singing company will give the first production on any stage in this city of Messrs. Sam S. & Lee Shubert's big musical comedy success, The TOURISTS

A galaxy of dally garbed girls—all the new song hits of the NEW YORK season—a three-hour show with nothing in it but rollicking fun, music and maidens. Regular Grand opera house prices. Matinee today, Tuesday and Saturday, 2:30 to 5:00. Every night this week 8:15 to 7:50.

NEXT WEEK'S Big Music Show—"THE MAYOR OF TOKIO," Richard Carle's famous eastern hit. First time on any Los Angeles stage.

AUDITORIUM "THEATER BEAUTIFUL" ERNEST CRAWFORD, Manager. Entire week, commencing Monday, April 19, THE SHRINERS OF SOUTHERN CALIFORNIA ANNOUNCE THEIR FOURTH ANNUAL CELEBRATION A Grand Shakespeare-Music and Art Festival

Russian Symphony And Ben Greet Players

Conductor: MODEST ARTSCHULER Personal Direction: MR. BEN GREET The Most Artistic and the Most Elaborate Series of Productions Ever Given in Los Angeles.

REPERTOIRE— MONDAY EVENING at 8:15: "EVERYMAN" (With Mendelssohn Music) THURSDAY EVENING: "A MIDSUMMER NIGHT'S DREAM" (Special Music by Male Chorus) FRIDAY: (Celebration Shakespeare's Birthday). Special Vocal and Instrumental Features. Matinee: "AS YOU LIKE IT" Evening: "A MIDSUMMER NIGHT'S DREAM" SATURDAY MATINEE: "A MIDSUMMER NIGHT'S DREAM" SATURDAY EVENING: "TWELFTH NIGHT"

SEAT SALE AT THE BARTLETT MUSIC COMPANY. SEASON SEATS \$20 FOR SIX EVENTS—\$1.00, \$2.00 and \$3.00, according to location. SINGLE SEATS—FRONT \$1.00, 25c, \$1.00, 25c, \$2.00 and \$3.00. PHONE AND MAIL ORDERS TAKEN. L. E. BEHYMER in charge of seat sale.

Trolley Events of Saturday and Sunday Mt. Lowe Special Excursion Rate \$2 Round Trip Through cars leave Sixth and Main streets at 8, 9, 10 a. m.—1:30 and 4 p. m.

SAN PEDRO: Visit San Pedro and see one of Uncle Sam's Fighting Crafts—the Cheyenne. Open to visitors in the afternoons.

LONG BEACH—Grand Band Concert on the Strand by Long Beach Municipal Band, afternoons and evenings. Finest plunge and surf bathing on the Pacific coast. Fine fishing from end of Big Pleasure Pier.

BALLOON ASCENSION AND PARACHUTE LEAP into the ocean at 2 P. M. Sunday.

PLACES OF REFRESHMENTS, combined with delightful trolley rides: Casa Verdugo, out Glendale Way, where typical Spanish dinners are served; while The Pompeian Cafe at NAPLES is celebrated for its unexcelled Fish Dinners. BALBOA, with its elegant Fish Dinners, beautiful still water boating and bathing and good fishing, is indeed an attraction.

FAST AND FREQUENT SERVICE From 6th and Main Sts., Los Angeles.

Pacific Electric Railway Shortest and Quickest Line to the Ocean —VISIT— SANTA MONICA OCEAN PARK NATIONAL SOLDIERS' HOME SEE The Easter Blooming of the Sea Moss Along the Canals at VENICE

Band Concerts Dancing, Bathing Fish at Long Wharf, Port Los Angeles or Playa del Rey. REDONDO—Relightful 10-Mile Ride Each Way. Right Along the Ocean.

Los Angeles Pacific Ry. Hill Street Station, Between Fourth and Fifth.