

Lulu and Leander get the license, but of course something happens. Funny supplement next Sunday.

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Adolph from Hamburg gets mixed up in the depot. Ach, my Uncle! He iss a great man! Sunday funny section.

THE STAND MUTE IN IDAHO COURT

Moyer, Haywood and Pettibone Refuse to Plead When Arraigned.

PRELIMINARY POSTPONED

McPARLAND MAKES FURTHER CHARGES AGAINST MINERS.

Denver, Feb. 21.—In interviews today Detective James McParland made further charges against the officers and members of the Western Federation of Miners under arrest in Idaho, saying that they had plotted to kidnap David H. Moffat, Dennis Sheedy, F. J. Hearne and William G. Evans, bankers, mining men and capitalists of this city, in addition to former Governor James H. Peabody, Chief Justice William H. Gabbert, Justice Luther M. Goddard and former Adjutant General Sherman M. Bell. The detective did not give his reasons for making such charges.

(Special to The Herald.)

Boise, Ida., Feb. 21.—When the charges were read to Moyer, Haywood and Pettibone at Caldwell today, Moyer and Pettibone listened unspoken, but Haywood trembled like an aspen leaf. Pettibone was the first to go through the ordeal. He was impassive. Haywood then stood up in response to the order of Probate Judge Church. His face showed no sign of agitation, but as the reading proceeded his lower limbs began to waver, and before it was concluded, he was shaking through all the six feet of his height. Moyer listened stoically to the charge lodged against him.

After some preliminary passages, E. F. Richardson announced they were ready to proceed at once with the preliminary examination. County Attorney Van Dusen suggested the state would need some time to prepare, as witnesses would have to be gathered from distant points. He moved the statutory preparation of two days. Thereupon Richardson stated he understood a grand jury had been called and indicated he would not throw objection in the way of having the case passed over to that body, but so arranged, Richardson, in this connection, threw a bomb, however, stating it was his understanding of the law that the state should make a statement of the testimony it expected to bring out, in applying for a preparation of examination. The matter passed, however, without the point being urged.

Formal preparations of the preliminary will be taken, according to the present program, until the case is in the hands of the grand jury. During the decision of the grand jury, Richardson made a plea for more liberty for his clients. He said Haywood had told him that his cell was so small he could not turn around. This was in a rather pathetic tone. What he wished was that the accused should be permitted to communicate with and that they should have the daily papers, and be allowed to write without having their letters censored. Mr. Hawley responded that he had no jurisdiction over the rules of the penitentiary, but it was eventually agreed that Hawley should confer with Warden Whitney. The hearing on the matter would be made in the rules. John F. Nugent of Owyhee county, Haywood's old home, has been secured to assist in the defense.

He is the man whom Haywood instructed the local union at Silver City to procure to assist in Orchard's defense, but it declined to ask him. He is county attorney of that county.

PLANS OF FEDERATION MEN.

Miners' Officers to Have Best Defense That Can Be Had.

Denver, Colo., Feb. 21.—A meeting of the executive board of the Western Federation of Miners probably will be called within a week to adopt plans for the defense of the officers now under arrest in Idaho. James Kirwan, a member of the board, arrived yesterday from Terry, S. D. Vice-President J. C. Williams of Grass Valley, Cal., will reach here today. The members of the federation, it is said, will be asked to subscribe money to defend Moyer, Haywood and Pettibone. "We will secure the best legal talent obtainable in the country," said Kirwan. "The rank and file of the members of the federation believe in the innocence of their officers, and will see that they have justice if such a thing is procurable."

Same Old Charges.

"The charges brought against our men are the same ones which have been trumped up by the mine owners so many times. Fifty-three of us were arrested after the Independence explosion, but none was ever prosecuted. Our arrest was made merely for political effect."

"It is a queer thing that every time any one has made a so-called confession it has been proven beyond a doubt that he was in the employ of the mine owners' association. Orchard is in the same boat as the others. If the evidence against our officers is as strong as they say it is, why didn't they allow them to have a hearing in Colorado? Such evidence as that would surely have been sufficient grounds to allow requisition instead of warrant kidnaping."

As a counter charge to that made by the Pinkertons that the officers of the Western federation formed a conspiracy to murder all sympathizers with the mine owners in Colorado, Mr. Kirwan declares that the mine owners have formed a conspiracy to break up the federation through charges trumped up against its officers.

Representatives of the Cripple Creek mine owners association positively deny that Harry Orchard, who is said to have confessed the assassination of for-

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HENRY RIVES TRIASSES

Man Conspicuous in the Legal History of Nevada Joins the Majority.

LIFE FULL OF ADVENTURE

GAINED PROMINENCE IN PICTURESQUE DAYS OF PIOCHE.

Judge Henry Rives, at one time rated one of Utah's brightest lawyers, conspicuous in the history of the west and a Confederate veteran, died in St. Mark's hospital at 8:30 o'clock last evening from a complication of maladies. He was taken to the hospital about three weeks ago, and since that time his condition became worse gradually until the end came. Gastritis was the immediate cause of death. Three daughters are living in California. The eldest daughter is the widow of Dr. Dalby, who died in Salt Lake several years ago. Judge Rives was a widower, his wife having died in Salt Lake in 1898.

Life Full of Adventure.

The story of Judge Rives' life is tinged with romance. With all the vivid coloring of the west when the west was yet young, the narration of his career is brimming with dramatic incidents—incidents so full of the wild and untamed spirit of the early years during which they were enacted that they themselves might fill books. Judge Rives was born in Missouri. When the great strife between the north and south broke out he was but 15 years old. Despite his extreme youth his heart was with the south. Shouldering a musket the staunch little southerner fought his way through the war. His was record was flawless; the din and smoke of battle had no fears for this young Confederate. Judge Rives' father was a colonel in the Confederate army and fell in battle. The brave son was spared, returning to his widowed mother when the war was done.

The south had lost its attractions for the boy. He longed for activity—for the excitement which the staid southern states did not offer. The west was in its infancy at this time. These were the years that won the west its title of the "wild and woolly west." Exciting stories of the west reached young Rives' ears. Activity and excitement could be had in the west in plenty, and so he came west. He arrived in Crescent City, Nev., in 1870. Col. A. C. Ellis, now a resident of this city, had law offices in Crescent City. Judge Rives studied law in these offices. The young man applied himself diligently and progressed rapidly.

Joins Rush to Pioche.

A year later rumors spread throughout the west of wonderful discoveries of riches in Pioche, Nev. A rush of all classes to that place resulted. In a night a city sprang into existence—a city of tents. Where a weary undulating stretch of scrubby brush and sage a few days before was now the site of a city, a western city with its few stores, numerous beer and dance halls; a western city with its rough grizzled miners and their ever near companions, gamblers and painted women; reckless days and sleepless nights. These were the days when the sound of a shot could be heard at any hour, and the loss of human life was treated with indifference.

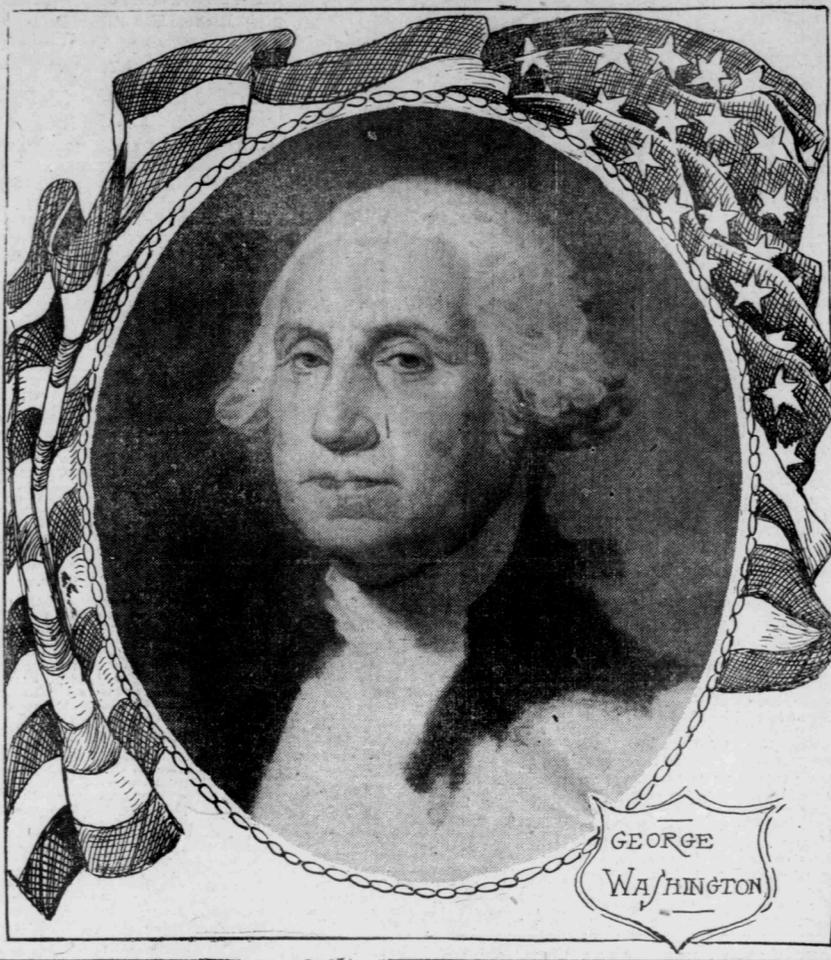
To Pioche with all its wildness and its mines of fabulous wealth rushed hundreds of restless souls, the hordes of men who were picked and camped kits strapped to their backs, followed by all the other characters that go to add picturesqueness to a mining rush. In this stream of queer humanity was Henry Rives. He was young and longed to win a favor from Dame Fortune who was distributing her richest treasures with a lavish hand. This time she was beckoning them to Pioche. They answered one, all madly. The young lawyer elbowed his way through the crowd of men and women in the race to Pioche, and was on the scene of the new discoveries with the leaders of the motley army.

Conspicuous in Litigation.

The richest mines in the new locality were the Hermes and Raymond-Ely silver-gold properties. These two mines adjoined each other. The proximity led to strife which in turn led to one of the greatest struggles recorded on the pages of mining history. The Hermes property was being developed by J. B. Haggin and Senator George Hearst. The two miners were friendly for years. One set of pumps served both mines, each company meeting half the expense of the pumping kept up constantly to keep both mines dry. Development in the Hermes mine revealed immense quantities of rich ore. The friendliness existing between the two properties began to give way to a quarrel, which grew bitter rapidly. The dispute arose over the pumping expenses. The Raymond-Ely management said the Hermes had passed beyond its boundaries and was removing ore from the Raymond-Ely ground. The war waxed warm.

The miners employed by the two mines fought each other upon slightest provocation. Hand to hand conflicts ensued both above ground and in the workings below. The battle was finally carried to court. Henry Rives was hired by the Raymond & Ely company as its local counsel. The brightest and most famous lawyers in the west were removing ore from the Raymond-Ely ground. Young Rives passed through the fire and gained fame. The matter was finally left to a jury for decision. The Hermes crowd "fixed it" with a jury packed on the result of the jury's deliberation ahead of time. If the verdict was to be in favor of the Hermes "crowd" the juror was to flash a colored silk handkerchief. This was done and relays of couriers took the news to the nearest telegraph office from which the news was flashed on to San Francisco. The Hermes clique made a fortune in buying up stock on

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GEORGE WASHINGTON

MORRIS DEMANDS PUBLIC APOLOGY

Husband of Woman Ejected From White House Addresses President Roosevelt.

Washington, Feb. 21.—Dr. Minor Morris, whose wife some weeks ago was ejected from the White House, where she had gone to present alleged grievances to the president, today gave out for publication the correspondence which recently passed between himself and the president regarding the case. Dr. Morris demanded a public apology of the president for this outrage on womanhood and decency. Secretary Loeb replied to the letter, stating that an investigation by the chief of police showed that the arrest was justified and that the kindest act to Mrs. Morris and other kindfolk was to refrain from giving the case additional publicity. The letter follows:

"To the president of the United States, Sir: Having waited patiently a number of weeks that you might have ample time to ascertain all the circumstances connected with the insult recently offered my wife at the White House and that you might make some expression of deprecation which would naturally be expected, it is now incumbent upon me as husband and citizen to demand a public apology for this outrage on womankind and common decency."

"It is unthinkable that such brutality would be tolerated anywhere in this country, but, above all, in the White House."

"That my wife has been confined to her bed six weeks from the shock and injuries of this damnable treatment is bad enough, but I can say to you in all calmness that had the original orders from the White House been carried out as to her longer incarceration, her life would have been sacrificed. It is therefore incumbent upon me to repeat my urgent request that you take action at once suitable to the circumstances which have shocked the entire nation. Respectfully, 'MINOR MORRIS.'"

February 16, 1906.

Reply From Loeb.

"The White House, Washington, Feb. 19, Sir: In reply to your letter of the 16th instant, the president directs me to state to you that he had the superintendent of police of the District of Columbia, Major Sylvester, make a careful investigation of the circumstances connected with the arrest of Mrs. Morris for disorderly conduct at the executive offices and the superintendent submitted to the president all the affidavits of the persons whom he had examined. The president carefully went over Major Sylvester's report and the affidavits, and also personally saw Major Sylvester and some of the persons making the affidavits. He came to the conclusion that the arrest was justified and that the force used in making the arrest was caused by the resistance offered by Mrs. Morris to the officers in the discharge of their duty and was no greater than was necessary to make the arrest effective."

"Under these circumstances the president does not consider that the officers are properly subject to blame. He was also satisfied that the kindest thing that could be done to Mrs. Morris and her kindfolk was to refrain from giving additional publicity to the circumstances surrounding the case. Yours truly, 'WILLIAM LOEB, JR., Secretary to the President. Dr. Minor Morris, Washington, D. C.'"

SENATOR BARD'S NEPHEW IS MURDERED IN BELGIUM

Was Studying the Violin at Brussels and Drew Money to Come Home—French Girl Associated With His Disappearance—Detective Says He Was Killed.

New York, Feb. 21.—That Albert M. Bard, a nephew of Former United States Senator Bard has dropped completely out of sight in Brussels, Belgium and that he is believed to have met his death through foul play was the statement made today by Detective John L. Fogarty.

Mr. Fogarty arrived here on the steamer Zealand from Antwerp after six weeks spent in Belgium in a fruitless search for the missing young man. He went abroad at the request of young Bard's family. He returned without having found a trace of Bard, dead or alive, but with the conviction that the young man had been murdered.

Young Bard was an accomplished violinist and went to Brussels in August last to take instructions from a master of that instrument. Fogarty brought back among other effects of the missing man two valuable violins owned by Bard, one worth \$1,000. They were found in Bard's room in the Brussels house where he lived.

Bard intended to return to America by a steamer leaving Antwerp on October 20 last. He had written to his uncle, Senator Bard, of the ship on which he intended to sail from Antwerp. The senator was at the pier in this city to meet him but he did not appear among the passengers.

Young Man Disappears.

Puzzled and alarmed, Senator Bard communicated with the bank in Brussels where his nephew had a deposit, but its officials sent back word that the young man had drawn out the

money and disappeared from his hotel and that no one knew where he had gone. Senator Bard then cabled the Brussels police asking them to look for his nephew and at the same time another uncle of the missing man, E. O. Gergerding, of Oxnard, Cal., asked the New York detective bureau to take up the search. Fogarty was detailed to the case and he was given a leave of absence to go to Europe to continue the search. He associated himself with the Brussels detectives, and they searched the city for Bard. But they found not a single trace. In Bard's room Fogarty found the young man's violins, music, clothing and other effects. At the hotel he learned that just before Bard intended to sail for New York he had drawn out his deposit of \$1,000 in the Brussels bank where he did business.

Woman in Case.

He learned, too, that the young man had become intensely interested during his short stay in Brussels in a young French woman, a music student like himself who lived in the same hotel. The officer also made an unsuccessful search for the young woman. Before leaving for Washington he reported to young Bard's family. Fogarty was asked: "Where is Bard?"

"I don't know," he replied. "Is he dead?"

"Yes," he answered. "On the right forearm the letters 'J. F.' and 'M. A.' are tattooed. On the left forearm the letters 'J. F.' and 'M. A.' are tattooed. On the right forearm the letters 'J. S. M.' are tattooed. At the base of the thumb upon the right hand is marked a small anchor."

"Did he meet with foul play?"

"Yes, I think he did. I could not find a trace of him. The matter is now in the hands of the king's prosecuting attorney in Brussels."

TWO ARE KILLED IN WRECK

Landslide Derails Southern Pacific Express Train Near Delta, California.

Redding, Cal., Feb. 21.—South-bound express train No. 15 on the Southern Pacific railroad, was partially derailed by a landslide near Delta last night. Two persons were killed and a few injured, though others had narrow escapes.

At first a larger number of fatalities were reported, but later accounts have reduced the number of victims to the following:

Killed: Engineer Dennis Freel of Dunsmuir, James T. Keiser, member Typographical union 193, Spokane, Wash. Injured: Engineer C. E. Wicks. Fireman James Peters. Fireman Richard Miller. Mail clerk, name unknown.

NEW BED FOR THE MISSOURI

River Will Leave Nebraska City an Island Town Unless Stream Is Checked.

Nebraska City, Neb., Feb. 21.—The Missouri river is cutting through its banks eight miles above here, and unless something is done this city will be an island town. The \$70,000 Burlington bridge at this place will be left high and dry and the company will have to build another bridge east of the present one about three miles. Opposite what is known as Jones point the river has been cutting for some time. A report from there today says it has cut in three-quarters of a mile and a large amount of land has been washed away.

WARREN SPEAKS FOR SMOOT

Wyoming Senator Presents Anti-Smoot Petition and Endorses Perkins' View.

Washington, Feb. 21.—Senator Smoot received another endorsement in the senate today. It came from Mr. Warren, who, upon the convening for the day's session, presented a voluminous petition from women in Wyoming, praying for the expulsion of Mr. Smoot from the senate. He said that he had been requested to accompany the presentation of the petition with some remarks of his own. He added:

"The subject of the petition is before the proper committee and I hope to be guided by the report of the committee when made. If I should express my opinion before the report is made I should be inclined to endorse what was said upon the subject a few days since by the senator from California (Mr. Perkins)."

TO TOUR MINDANAO.

Manila, Feb. 21.—Major General Leonard leaves here on next Saturday for a two weeks' tour of inspection on the island of Mindanao. This trip of the commanding general indicates that no immediate movement of troops to China is contemplated. The Chinese in Manila, believing that trouble is imminent, are limiting their business contacts to their countrymen in China. Advice received here by Chinese say that an outbreak against foreigners will occur on Feb. 24.

WRONG MAN CONVICTED.

Trenton, N. J., Feb. 21.—Governor Stokes today granted a reprieve for thirty days to Rufus Johnson, colored, sentenced to be hanged for the murder of Miss Florence Hinson at Burlington. George Small has confessed that it was he and not Johnson who killed the woman.

WILL "INSPECT" THE CONDUIT

Black and His Committee Will Go Through Form Before Approving Grab.

"AMERICANS" WEAK KNEED

DEMAND ALL DUE CEREMONY BEFORE VOTING MORAN BILL.

The \$75,000 conduit grab planned by the "American" party leaders in the city administration will not be rushed precipitately through the committee on engineering Friday night, as was at first contemplated. Instead, it is announced, the committee, headed by Councilman T. R. Black, leader of the "American" party in the council, will make at least one trip of inspection to Big Cottonwood canyon before reporting in favor of the grab.

No member of the committee pretends to have the slightest knowledge of engineering, but so the "American" leaders have decided it will give a better appearance before the public if the committee inspects the conduit before stamping the grab "tear-off" with the seal of its approval.

Another Banquet by Moran.

P. J. Moran, the contractor who is to be the beneficiary of the allowance of \$75,000 and more in "extras" will be the host on the occasion when Mr. Black and his committee visit the conduit with the look of the layman.

Already Mr. Moran has been host at one banquet. That was when the newly elected members of the council visited the conduit two weeks ago last Sunday. Mr. Moran at that time served a sumptuous luncheon to the visitors in his "cook house," and this delightful form of entertainment will doubtless be repeated when the Black party visits him again.

Are Getting Weak Kneed.

The original plan was for the committee on engineering and to report favorably on the \$75,000 grab Friday night, but the truth is that two or three members of the "American" party in the council are becoming frightened over the magnitude of the proposed grab, and are insisting that due ceremony should be observed in approving it. That is why the Black committee will go through the form of inspecting the work before affixing signatures to a successful bill. Moran will probably draft, approving his bill for "extras."

The outlook is now, therefore, that the council will not formally authorize the expenditure of the \$75,000 before a week from next Monday night, as was first intended. "Bud" Black as waiter.

At the former banquet given by Mr. Moran to the city officials, "Bud" Black, son of Councilman Black, officiated as waiter at the table. "Bud" was then in the employ of the "American" party, however, to the best of his ability, to make the entertainment of Mr. Moran, a former employer, a success. Members hope that at their next visit "Bud" will again exemplify his talents as a "hasher."

IS IT MURDER OR SUICIDE?

Dead Man Found in Heart of Fashionable Residence District of Chicago.

Chicago, Feb. 21.—The body of a man apparently about 45 years old, was found floating in the gutter at the corner of Twenty-first street and Calumet avenue, in the heart of one of the fashionable residence districts on the south side of the city. There was a bullet-hole above the right ear and a cheap revolver lay near the corpse, but the police are unable to state whether it is a case of murder or of suicide.

It is the opinion of the police that the man may have been slain by foot-pads, and his body brought from a distance. The post mortem examination held later developed that the man had received several cuts upon the head in addition to the bullet wound which caused his death.

On the left forearm the letters "J. F." and "M. A." are tattooed. On the right forearm the letters "J. F." and "M. A." are tattooed. On the right forearm the letters "J. S. M." are tattooed. At the base of the thumb upon the right hand is marked a small anchor.

MAY BE MILWAUKEE MAN.

Belief That Victim Is Lay Reader of Methodist Church.

Milwaukee, Feb. 21.—With every feature clothing and bodily appearance tallying with that of Andrew Peterson, a lay reader in the Methodist church, it is thought that the man found dead in Chicago, a bullet wound in his head and a revolver lying within a few inches of his hand, is the minister who is well known in Milwaukee among Lutheran ministers.

"Andrew Frederickson did not have a pastorate of his own," said the Rev. Gustave Stearns, pastor of the church of the Ascension who knew Mr. Frederickson. "He went from place to place as a lay reader. He always wore a frock coat and a black derby hat. He has no people here and seemed to be alone."

WILL GIVE UP OGDEN BRANCH

Z. C. M. I. to Go Out of Retail Business in Junction City—Make Big Wholesale Point.

QUARTER MILLION IN IT

PROPERTY AND STOCK WILL BE SOLD AT ONCE.

The Z. C. M. I. will close out its retail branch at Ogden within the shortest possible period, and the transaction looking toward the establishment of a wholesale distributing house at Ogden will involve something like \$250,000, of which the realty and building at Washington avenue and Twenty-fourth street, Ogden, represent \$125,000, and the stock the balance. The statement was authorized by T. G. Webber, general superintendent of the Z. C. M. I. of Salt Lake, yesterday.

The management now has under consideration several offers, both for the stock and the realty. The time required in which to close out the retail end of the business at Ogden will depend solely on whether the offers for stock contemplate purchasing all or part of the goods on hand. The corner is one of the most valuable pieces of realty in Ogden and, as it is an ideal site for a large retail house it follows eagerly sought after. The Z. C. M. I. intends to erect a large warehouse and wholesale office in the vicinity of the railroad yard, where freight can be handled readily. Ogden will then be the important wholesale distributing point for northern Utah and Idaho. The wholesale establishment at Provo occupies a similar position as regards the southern part of the state.

The store in which the Ogden retail branch is at present doing business is three stories in height. While it is well adapted for retail purposes as far as the interior is concerned, it lacks display window advantages, and its purchaser or purchasers will greatly remodel it, to do so tear down the structure and put up a modern store.

Colonel Webber said yesterday that the Z. C. M. I. had been contemplating the step for some time. He assigned as the reason for the move the Ogden retail branch unwillingness on the part of Z. C. M. I. to make an aggressive, competitive fight for the trade of Weber county against other retail companies.

No Hitch in Plan of Manufacturers and Merchants for Trip South.

March 7 has been definitely selected as the date for the "ret acquainted" trip to the southern part of the state under the auspices of the Manufacturers & Merchants' association. This had heretofore been announced as the date, but later withdrawn as it was feared it would conflict with payday of a number of residents of Murray who propose to leave on that date. It is now announced that March 7 stands, and that moreover Murray will be represented by at least seventy-five.

The Butchers & Grocers' association yesterday notified Manager G. H. Place that there would be 100 members of the organization at the M. & M. A. special when it pulls out for middle and southern Utah cities.

COWARDS TO BE DISMISSED

Russia Intends to Deal Harshly With Officers Who Surrendered Too Readily.

St. Petersburg, Feb. 21.—Unprecedented regulations to purge the army of cowards as it were thought of cowardice and surrendering during the war for no reasonable cause, were announced today by the military organ, the Russky Invalid. Captive officers returning from Japan will, unless they were wounded when captured, be tried before courts of honor and, unless reinstated by the unanimous decision of their fellow officers, will be dismissed in disgrace.

"Contusions," a frequent excuse for surrendering, will not be accepted.

The higher officers who were responsible for the surrender of the organizations must secure a vindication from a court of honor and the minister of war. Such cases will be submitted to the emperor individually.

The troops which composed the garrison at Fort Arthur are exempt from these provisions, the responsibility for the surrender of that fortress falling upon General Stossel.

FISH HATCHERY FOR UTAH.

(Special to The Herald.)

Washington, D. C., Feb. 21.—The House committee on fisheries has decided to report favorably on the omnibus bill which will provide for establishing hatcheries in thirty states. Bills have passed the senate to establish such hatcheries in Utah and Wyoming and these states will be included in the proposed omnibus bill.

NEXT MONDAY THE MONEY MAN COMES AGAIN

He made twenty people a dollar richer last Monday and he'll do it again next Monday. Save your copy of The Herald of Sunday, February 25th.

YOU MAY GET A DOLLAR FOR IT.