

Long hair and a dirty collar don't spell "genius" any more than glaring headlines and bombastic phrases do "good advertising."—Rusty Mike's Diary.

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You can't tell the color of the chick by looking at the egg, neither can you judge the value of an advertising medium by the picture on the cover.—Rusty Mike's Diary.

## NEW TREATY TO BE SENT TO SENATE

President Roosevelt Wants to Get Action on the Santo Domingo Matter.

MAY BE AN EXTRA SESSION OPPOSITION IN THE UPPER HOUSE.

(Special to The Herald.) Washington, Feb. 10.—The treaty between the United States and Santo Domingo, which has been pending in the United States senate for ratification since 1905, is to be displaced by an entirely new treaty, which will be sent to the senate soon after Feb. 15. The Santo Domingo treaty as negotiated two years ago now ceases, there, to be a possible cause for an extra session of the senate. The new treaty, which will be in a greatly simplified form, freed from nearly all the causes of controversy embodied in the convoluted one that has been pending, may be ratified before the expiration of this congress on March. At this stage of the session, however, the slightest resistance would compel postponement of its ratification. But that event would not of itself give sufficient cause for an extra session of the senate, because under the existing arrangement the financial affairs of the island republic will continue to be administered satisfactorily, until the provision made in the new treaty for the liquidation of the debt can be established with the approval of the senate. The ratification of the new treaty, for the reason that in the next congress the senate will contain sixty-one Republicans in a total membership of ninety, or more than the two-thirds majority required to ratify a treaty.

**Claims of Creditors.** The negotiations of the new treaty and the abandonment of the convention hitherto pending is the direct sequence of the agreement made independently by the government of Santo Domingo with all of its foreign creditors, including also an arrangement for the settlement of its internal indebtedness. The total sum of these claims, which have been adjudicated by a commission provided for in the original treaty, was estimated, at the close of 1906, to be nearly \$25,000,000. The terms of the settlement that has been effected, all the claims in its scale this sum down to some \$17,000,000. But in order to provide for the cost of service of debt, and also to ensure the settlement of internal obligations there is a total of \$20,000,000 of Santo Dominican bonds to run fifty years, bearing 5 per cent interest.

Out of the proceeds of these bonds, the claims are to be paid in cash, upon the terms agreed upon with each creditor. There is to be no substitution of one bonded indebtedness for another, as in previous fiscal readjustments and re-arrangements in the finance of Santo Domingo.

Of course the settlement of these claims upon a discount of about 50 per cent was made possible only by the assurance of cash payments and by the reasonable certainty that the existing temporary financial administration will be continued until the treaty shall have been ratified. As is well known, under this temporary arrangement American officials, appointed by the United States government, administer the customs houses, turning over 45 per cent of the revenues to the Dominican government for running expenses and putting 55 per cent into a safe depository for equitable division among the creditors. This arrangement, even in its first year, 1905, produced through honest collections such an increase in revenues that the government actually received more from the 45 per cent than the American collectors turned over to it than it got formerly when it took the entire revenue.

The existence of this arrangement and its probable continuance also make possible the successful issue upon favorable terms of \$20,000,000 of new Dominican bonds to extinguish all previous obligations and clear the treasury.

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## SHORT RESPIRE FOR EVELYN THAW

Wife of Slayer of Stanford White Will Not Go Upon the Stand Today.

ANOTHER ORDEAL TUESDAY ONE OF THE JURORS REPORTED SICK.

New York, Feb. 10.—Evelyn Nesbit Thaw probably will not, as had been expected, return to the stand tomorrow morning when the trial of her husband for the murder of Stanford White is resumed. The strain of the last few days in which she has been made to live again the hours when, according to the confession she has sworn that she made to Harry Thaw, she was the victim of the architect's wife, has told severely on the young woman, and she is expected to be unable to appear in court today.

**Husband Interceded.** On her visit to the Tombs Saturday Mrs. Thaw told her husband that she had suffered greatly during the ordeal when her association with White was laid bare and Thaw communicated the fact to the attorneys. He told them that his wife was in good spirits and with a hearty courage given an opportunity to recover herself. Attorney Delmas then set about to arrange the plans of the defense that Mrs. Thaw's presence in court as a witness would not be required until Tuesday. If tonight's indications do not miscarry, Mrs. Thaw will not be recalled until Tuesday and her cross-examination by District Attorney Jerome will begin Wednesday.

**Juror Reported Ill.** Another development today that startled those directly concerned in the case was the reported illness of a juror. Visions of a mistrial were again dispelled, however, for it was ascertained that the juror's illness was not such as threatened to incapacitate him. Wilbur F. Steel, 60 years of age, a manufacturer of New York, has contracted a severe cold, but it is expected that he will be able to go into the jury room this morning.

Today may be said to have been Thaw's best day in the Tombs. He arose after what he declared had been a restful night in his cell, and with a hearty appetite. He did not attend service in the chapel, but spent the morning with the newspaper and reading the many messages brought him. Of these one read: "Be brave." Late tonight it was said that Mrs. Thaw was anxious to have the ordeal over as soon as possible, and had asked that she be permitted to resume the stand tomorrow. This was not promised, though it was said that possibly Mrs. Thaw might be called.

**Jerome Preparing.** Mr. Delmas' direct examination of Mrs. Thaw will probably continue some hours. The district attorney has been making the most minute preparation for the cross-examination and was in conference today with several persons who, it is said, will be called as witnesses. When the trial is resumed tomorrow morning there is likely to be the liveliest tilt between the lawyers that has yet marked the trial. The defense will call to the stand E. C. Perkins, a lawyer of Pittsburgh, who drew up Harry Thaw's will. Mr. Perkins arrived here tonight.

**Women Barred From Court.** Tonight Captain Ricketts, who is now in charge of the jurors, announced that no women would be allowed in the court room except those who had been summoned as witnesses. He said that because of the clamor and confusion of the testimony, and added that he would have an extra detail of court officers on hand to enforce this rule.

**SPRING CLEAN-UP.** Goldfield, Nev., Feb. 10.—An attempt is being made to clean the city of all vagrants and lawless characters. The jail, courts and city streets are crowded tonight. Twenty opium dens and twenty-nine smoking outfits have been rounded up by the police.

**EXPLOSION IN ARSENAL.** London, Feb. 10.—A terrific explosion today wrecked the chemical research department of the Woolwich arsenal. It is believed no lives were lost.

(Special to The Herald.) Boise, Feb. 10.—The trial of Steve Adams will begin at Wallace tomorrow. He is charged with the murder of Fred Tyler on the St. Joseph river in August, 1905. Adams, the man who made a confession in the Steenberg case and afterward repudiated it and sued out a writ of habeas corpus to escape from the hands of the state, though he would have been released at any time upon making a demand. In his confession he told of this Tyler murder, which was committed at the instance of Jack Simpkins, the man who is so badly wanted in connection with the murder of the former governor. That was the first knowledge the state had of the facts of the crime, though it had always been laid at the door of Simpkins. Adams told several persons the story and two or three of these will go on the stand and testify. It is not believed by the prosecution that the defense will attempt to delay the trial. Though E. F. Richardson of counsel for Moyer and Heywood, is defending him and J. H. Hawley, counsel for the state in the greater case, is assisting in the prosecution, it is not thought the defense hopes to get some points in this trial on the extent of the state's information on matters affecting the Moyer case.

**MURDERER MET DEATH BY SHEER ACCIDENT**

El Paso, Tex., Feb. 10.—After killing one policeman and wounding another at Matatlan, Mex., Antonio Benitez tried to escape by running, but stumbled and fell and was killed by the accidental discharge of his pistol.

**OFFERED TO ARBITRATE.** Panama, Feb. 10.—Francisco J. Herbosa, Chilean minister to the Central American republic, who is in this city on his way to Yaguarato, said to the Associated Press today: "Before my departure from Costa Rica last Wednesday I offered my services to arbitrate the questions in dispute between Honduras and Nicaragua, in case the Salvador tribunal could not reach an acceptable decision. Both President Bonilla of Honduras and President Zelaya of Nicaragua wired me such conciliatory messages that I left, believing firmly that war between the two republics would not result."

## THE DARWINIAN THEORY REVERSED.

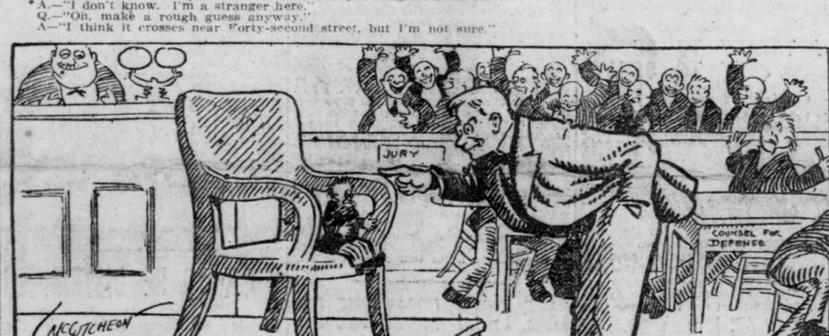
An Episode in Expert Testimony.



Q.—"Doctor, you are an expert on insanity, are you not?"  
A.—"Yes, indeed."  
Q.—"Please describe the Romberg test."  
A.—"Beg pardon?"  
Q.—"Please describe the Romberg test."  
A.—"Why, you see, well, it's just a test for pathological and physiological manifestations of intermolecular stratum."  
Q.—"Have you ever heard of the Romberg test before?"  
A.—"No."  
Q.—"Then why did you think you could tell what it was?"  
A.—"I thought I'd try, anyway. You never know what you can do till you try."



Q.—"Do you know the functions of the intercostal nerve?"  
A.—"Yes, it runs sympathetically between the intercollegiate and interurban ganglia, or nerve centers."  
Q.—"In what direction?"  
A.—"Kind of cat-cornered, I think."  
Q.—"Have you ever heard of this nerve before?"  
A.—"No."  
Q.—"Where does the pons varolii cross the pneumogastric nerve?"  
A.—"I don't know, I'm a stranger here."  
Q.—"Oh, make a rough guess anyway."  
A.—"I think it crosses near Forty-second street, but I'm not sure."



Q.—"Have you ever heard of the Argyle Robertson symptom?"  
A.—"I think so, but by a different name."  
Q.—"What name?"  
A.—"I've forgotten. I just heard casual gossip about it and didn't pay much attention."  
Q.—"How many people have you examined for insanity?"  
A.—"About 800."  
Q.—"Who employed you?"  
A.—"The patients."  
Q.—"Were they insane?"  
A.—"Why, of course."

—Chicago Tribune.

## TRIAL OF ADAMS BEGINS TODAY

Developments May Have Important Bearing Upon the Dynamite Cases.

(Special to The Herald.) Boise, Feb. 10.—The trial of Steve Adams will begin at Wallace tomorrow. He is charged with the murder of Fred Tyler on the St. Joseph river in August, 1905. Adams, the man who made a confession in the Steenberg case and afterward repudiated it and sued out a writ of habeas corpus to escape from the hands of the state, though he would have been released at any time upon making a demand. In his confession he told of this Tyler murder, which was committed at the instance of Jack Simpkins, the man who is so badly wanted in connection with the murder of the former governor. That was the first knowledge the state had of the facts of the crime, though it had always been laid at the door of Simpkins. Adams told several persons the story and two or three of these will go on the stand and testify. It is not believed by the prosecution that the defense will attempt to delay the trial. Though E. F. Richardson of counsel for Moyer and Heywood, is defending him and J. H. Hawley, counsel for the state in the greater case, is assisting in the prosecution, it is not thought the defense hopes to get some points in this trial on the extent of the state's information on matters affecting the Moyer case.

## EDIFICE AGAIN PACKED

French Apostolic Catholic Church Held Services in Paris Without Interruption.

Paris, Feb. 10.—The Church of the Holy Apostles, where the French Apostolic Catholic church was inaugurated last Sunday, was again packed to the doors today, but there was no repetition of last Sunday's disgraceful scenes. Police in plain clothes were stationed at the doors, and only once was the service interrupted. This was when a young man shouted "Sacrilège!" He and eighteen companions belonging to the society of "Young Boyalists" were arrested on a charge of impeding liberty and worship. Archbishop Vilaet, head of the Independent Catholic movement in America, announced that a priest hereafter would be ready to officiate at baptisms, marriages and deaths, and that mass would be celebrated daily.

## HAYTI MIXED UP WITH GERMANY

Fears Entertained at Port Au Prince That Complications May Ensnare.

Port Au Prince, Hayti, Feb. 10.—The relations between the governments of Hayti and Germany are strained owing to the refusal of the German bankers, Hermann & Co., by direction of the Haytian government, to return to the Haytian government large sums of money alleged to have been obtained fraudulently. Among the alleged transactions of Hermann & Co. with the Haytian government was one which is said to have proved favorable to the government. This was concluded by the Haytian minister of finance, the German legation and Hermann & Co. The German minister demanded that this transaction, as well as others, be annulled, but the Haytian government in terms that the German minister deemed offensive, refused to acquiesce. The German minister at the same time demanded the withdrawal of the phrase objected to. This also was refused. Fears are entertained here of grave complications ensuing.

## WILL AMEND LAND LAWS

House Committee Has Decided Not to Carry Out the President's Recommendations.

(Special to The Herald.) Washington, Feb. 10.—The house committee on public lands has practically completed consideration of the recommendations in the president's message for a change in the coal land laws, and has decided upon the form of a bill which it is expected will be reported from the committee at the next meeting. The committee has not followed the president's recommendation that a leasing system of dealing with coal lands be adopted. The changes the committee suggest in the present coal land laws are in the direction of broadening and liberalizing them. Under the present law four persons may combine and file upon 40 acres of coal land, while in the proposed new law it is provided that forty entrymen who will expend \$5,000 in developing their entry may take up 1,280 acres, or if they expend \$10,000 in development they may take up 2,560 acres.

## BRANCH TO BE BUILT

El Paso, Tex., Feb. 10.—Before the end of the year, according to a statement given out by A. E. Stilwell, president of the Kansas City, Mexico & Orient railroad, a branch of that railroad will be built to Spofford Junction, where it will connect with the Eagle Pass branch of the Southern Pacific, connecting with the Mexican International at C. P. Diaz, Chihuahua, Mexico, thus giving a direct line from Kansas City to Mexico City.

## AGITATION IN PERSIA.

Teheran, Feb. 10.—Anti-government agitators are busy and the people are showing dissatisfaction at the government's apparent disinclination to assist parliament. The people complain that the government is continuing to support the Belgians, and they also criticize the inactivity and irresponsibility of the ministers. The opposition of the government to the elections, and the high prices and scarcity of food.

## COOLIES PEOPLES AGAIN HOSTILE

Send Message to Mayor Schmitz Regarding Conference With President.

COOLIES MUST BE BARRED DEFINITE DECISION HAS NOT BEEN REACHED.

Washington, Feb. 10.—Mayor Schmitz and the members of the San Francisco school board were in conference twice today and formally agreed on the policy they will pursue in connection with the question of the Japanese and the San Francisco schools. The mayor and members of the board have refused to make any statement as to what position they will take when they call at the White House tomorrow to confer with President Roosevelt regarding the Japanese exclusion league tonight. Mayor Schmitz declares the delegation has "not made any arrangements up to date of any kind."

**Telegram From the Coast.** A telegram received today by Mayor Schmitz from the president of the California Exclusion League, in part reads: "Morning papers announce in big headlines that 'Schmitz deserts labor for Japanese. Mayor and school board make complete surrender. We cannot and will not believe it. Exclusion league demands exclusion by act of congress; treaty will be barred away for promises and should not be basis for compromise. We will not yield one iota of our rights as a sovereign people regardless of cost or consequences.'"

**Schmitz's Reply.** Mayor Schmitz reply in part follows: "Telegram received. Announcement in morning papers absolutely false. Have made no arrangement up to date of any kind. Story false like all other statements made about Japanese rights matter. Give any statement to reporters. President has refused also until conference completed and is assuming responsibility. I am a Californian trying to do my duty to my state. Cannot succeed if hampered by hostile press of San Francisco. I have discussed the matter with Mr. Roosevelt yesterday and he understands our position. There has been no change in the situation since that and cannot be until after tomorrow's conference."

**Root at White House.** Secretary Root spent two hours at the White House tonight discussing the school question with the president and it can be authoritatively stated that the president tomorrow will assure Mayor Schmitz and the school board that if they will agree to end the agitation by abolishing the Oriental schools the president will in turn use his influence to secure a treaty with Japan that will exclude the coolie labor from any other, and that any thought of "I can be stated positively," said Mayor Schmitz tonight, "that President Roosevelt has made no definite proposition to us. We discussed the matter with Mr. Roosevelt yesterday and he understands our position. There has been no change in the situation since that and cannot be until after tomorrow's conference."

**JAPS ARE FRIENDLY.** California Observed No Evidence of Ill-Feeling.

San Francisco, Feb. 10.—State Senator G. R. Lukins, who returned today on the steamship Siberia from Japan, where he has been touring for his health, says that he witnessed in Japan no evidence of ill-feeling toward the United States, and that on the contrary he was led by prominent Japanese to believe that the country entertains a warmer sentiment of friendship toward this nation than toward any other, and that any thought of war between the two countries would be extremely repugnant to the Japanese. "Considerable feeling was engendered here by the Southern Pacific laying off white men employed on the railroad section at this point and replacing them with eight or ten Japanese. The section foreman, the feeling ran so high that fifty American men called at the section house last night and warned the Japanese to leave the town."

**JAPS REPLACED WHITE MEN** Trouble at Woodburn on the Southern Pacific and Brown Men Forced to Leave.

Portland, Feb. 10.—A special to the Oregonian from Woodburn says: "Considerable feeling was engendered here by the Southern Pacific laying off white men employed on the railroad section at this point and replacing them with eight or ten Japanese. The section foreman, the feeling ran so high that fifty American men called at the section house last night and warned the Japanese to leave the town."

**QUESTION OF COOLIES.** Japanese Paper Does Not Believe It Should Cut Any Figure.

Tokio, Feb. 10 (Afternoon).—The Jiji in a leading editorial in regard to the San Francisco incident, expresses disbelief in the possibility of the adoption of a new treaty mutually restricting labor immigration as a solution of the school controversy. The Jiji declares that it is aware that a large number of Japanese are going to San Francisco from Hawaii and that this immigration is causing jealousy on the part of the white laborer, but it contends that this is due to the imperfect provision of the existing law, which might be remedied by an agreement on the part of both, but which should constitute an entirely separate subject of discussion. The Jiji, judging by statements attributed to officials of both governments, draws the conclusion that if a satisfactory adjustment of the difficulty is to be reached, it will be solely by the efforts put forth by President Roosevelt.

**CONCESSION GRANTED.** El Paso, Tex., Feb. 10.—A concession has been granted by the Mexican government for the construction of a railroad between Queretaro and Acamburo, in the state of Guanajuato. The enterprise is backed by Governor Cosío and other leading state officials.

## THAW CASE USED IN THE PULPIT

Sensational Sermon Preached by Rev. Dr. C. W. Blodgett of Pittsburgh.

MONEY NEED NOT CORRUPT VULGARITY WHICH MAKES THE WORLD RECOIL.

Pittsburg, Pa., Feb. 10.—Taking for his topic, "The Blessings and Curses of Wealth and Home," Rev. Dr. C. W. Blodgett, at the North Avenue Methodist Episcopal church, today made the Thaw case the topic of an extraordinary sermon. "Wealth need not be a corrupter of morals," he said. "It is the vulgarity of it that the world recoils from. This country is reading of the tragic scenes in the court of justice in New York with intense interest."

**Both Came From Pittsburgh.** Pittsburg is deeply interested. Here on the streets of Allegheny the poor wife of the chief actor played when she was a girl. Across the river the husband, now on trial for the murder of Stanford White, the revelations of whose life make you shudder with horror, spent his boyhood days. They both came from respectable families. One knew what poverty was—hungry for bread—the other, when a mere lad, spent enough money in a year to keep a dozen families. They both go wrong.

**Warning to Parents.** "One, seemingly by the cruel hand of fate, the other through love that was blighted. All our hearts bleed for them. Will the fathers and mothers of more and other cities take any warning?" "We sing, 'Where Is My Wandering Boy Tonight?' But where is your girl. At the place of amusement, then decayed into some gilded studio, and then sorrow and a life worse than hell. No higher virtue should be demanded of a woman than of a man. The same code of ethics should apply to both."

**Others Beside Evelyn.** A teacherous scoundrel of a man, poor or rich, should have the same treatment as the abandoned woman. Poor Evelyn Nesbit Thaw is not the only girl that has been ruined as she was.

**Watch the Children.** "No state can rise higher than the home, and no church can be more influential than the firesides from which its members come. The warning voice that comes to us over the clockwork wires and the cold type of the press is: 'Have a jealous care of your boys and girls. Restriction is far better than a woman's liberty, and a morsel with purity better than wealth with infamy.'"

**PROTEST OF WOMEN.** Chattanooga, Tenn., Feb. 10.—Women of this city met today and protested against the printing of details of the Thaw trial in the city papers.

**Thaw Case Disgusting and Evidence Unfit to Print.** Chattanooga, Tenn., Feb. 10.—Women of this city met today and protested against the printing of details of the Thaw trial in the city papers.

**ACCIDENT IN YANKEE MINE** William Young Fatally Injured While Being Hoisted to the Surface in a Skip.

(Special to The Herald.) Eureka, Feb. 10.—What may probably turn out to be a fatal accident occurred this afternoon at the Yankee mine when the shift was being hoisted out of the mine. A skip containing four men, William Young, John Erickson, Art Scott and one other, was being pulled up, when Young, thinking the skip had passed the ore chute near the 30-foot level, raved himself up slightly and was struck by the chute just as he did so. He was knocked back into the skip in such a manner as to almost break his back. The unfortunate man was quickly hoisted to the surface and Dr. John A. Fensel, a medical physician, was immediately summoned. All possible attention was shown Young, who was seated up under severe agony. He was taken to his sleeping quarters and although at present he has slightly improved, it is not believed he can survive the accident. Young's home is in Fairview, Sanpete county, and he also has relatives in Salt Lake who have been notified.

**AGREEMENT REACHED.** Wine Growers Get Together on Law Proposed in Ohio.

Sandusky, O., Feb. 10.—William Homer Rheinbart, secretary of the National Wine Growers' association, tonight announced that an agreement had been reached with the American Wine Growers' association, whereby certain features of the Fasset pure wine bill will be eliminated and all obstacles in the way of the passage of that measure will be removed. The National Wine Growers' association had been fighting the Fasset bill for over a year past on the alleged ground that if made a law it would discriminate against many of the wineries of the middle west to such an extent as to put thousands of them out of business. The Fasset bill had the indorsement of the California growers and by the compromise which Rheinbart says has been reached, all the wine growing interests, it is claimed, will be satisfied.

**STRIKE HAS BEEN SETTLED.** El Paso, Tex., Feb. 10.—The strike of the machinists in the shops of the Mexican National railway at Nuevo Laredo, Mexico, which has been on for several months as well as the strike of cotton mill workers at Queretaro, have been settled. In the former case all the demands of the workers were granted, except recognition of the union. In the latter the strikers surrendered unconditionally.

## Here's Money for Your Thought

The first correct solution to the story, taken from the news and advertising columns of The Herald yesterday, entitles the wise reader to \$2. The next three correct solutions brought in entitle the holders to \$1. It's a hard one, but it only requires careful reading. Get to work—

Hearst talks about go-carts at a discount. They are going faster and faster. Tax free mortgage securities connected with sewer. The second Mrs. Tanqueray left last night for California. The reason: Rare values in new white fabrics. We can term this a brilliant display, held in high esteem. Morris made it possible. All Salt Lake City sits up and take notice of our final clearance sale in order to retain the meal ticket.