ALLEGED LAND THIEVES IN DOCK

Case of Hyde, Benson, Dimond and Schneider on Trial in Washington.

CONSPIRACY IS CHARGED

BENSON'S PLEA IN BAR TAKEN UNDER CONSIDERATION.

Washington, April 1.—The trial of the land fraud cases against Frederick A. Hyde, John A. Benson, Henry P. Dimond and Joost H. Schneider, involving an alleged conspiracy to defraud the United States out of valuable lands in several western states, has begun here today before Justice Stafford in criminal court No. 1. Upwards of 200 witnesses from fourteen states in the west, where the alleged fraudulent acquirement of lands was effected, are here for the trial.

This case has been on the dockets of the court here and in California for the past four years, the trial having been postponed from time to time. One of the delays was caused because of lack of funds to pay witness fees and other expenses. An appropriation of $80,000 was made by congress at its present session to cover the cost of the trial.

Trial Will Last Long.

It is believed that the trial will continue for at least three months.

The indictments against the four men charged a conspiracy, hatched in this city in 1901, to defraud the United States out of many thousands of acres of public lands in the west. It is alleged that these men, operating through the names of fictitious persons, acquired school lands in Oregon and California by false entries and forged signatures, by entries later transferred with the help of information from subsidized clerks in the general land office.

Benson, who is a San Francisco millionaire, resisted extradition from California, as did his co-defendants, who are alleged to have done the actual work in the field and later carried the case to the United States supreme court, where a decision unfavorable to them was handed down.

Hermann in the Deal.

Binger Hermann, commissioner of the land office at the time, and later a representative in congress from Oregon, sent special agents, Helsinger and Magee, out west to investigate. The report was submitted to Hermann, who, it is alleged, held it up. Finally it was brought to the attention of Former Secretary of the Interior Hitchcock by Magee. The former detailed secret service officers and attorneys of the department of justice on the case. Their findings led to the indictments.

The government's side of the case is represented by District Attorney Baker, special assistants in the department of justice, Arthur B. Pugh and Francis J. Heney. The four defendants are represented by A. S. Worthington, R. Golden Donaldson and A. A. Birney of the Washington bar, and Joseph C. Campbell of San Francisco and W. J. Vandevere of New York.

Pleaded Not Guilty.

Promptly at the opening of the trial three of the defendants, Hyde, Dimond and Schneider, pleaded not guilty, and a plea in bar was entered as to Benson. The attorneys for the defendants first offered a plea in abatement, and District Attorney Baker, representing the government, filed a demurrer to the plea, which was sustained by Justice Stafford. Hyde, Dimond and Schneider were then arraigned, and counsel for Benson entered the plea in bar. The jurors were dismissed until 1:30, while argument was heard in bar. It is said that a new panel will have to be called from which to select the jury.

At the conclusion of the arguments on the plea in bar offered by Benson, Justice Stafford reserved decision and court adjourned for the day.

"BUFFALO BILL" VERY ILL.

Said to Be Suffering From a General Nervous Breakdown.

Chicago, April 1.—Colonel William F. Cody (Buffalo Bill) is seriously ill here at the Stratford hotel. Colonel Cody arrived in Chicago today on his way from New York to his home in Cody, Wyo., and at once sought the services of a physician. Dr. A. Baxter Miller, house physician at the Stratford, found that Colonel Cody is suffering from a general nervous breakdown, caused largely by a recent attack of the grip. The patient is threatened with pneumonia, but if this disease does not develop he may be able to resume his journey in about a week.

DENIES ALL THE CHARGES MADE

Chief Forester Writes a Letter to Congressman From Nebraska.

Washington, April 1.—In view of the allegations against him on the floor of the house by Messrs. Mondell of Wyoming, Smith of California and others, Gifford Pinchot, chief forester, has addressed a letter to Mr. Pollard of Nebraska, a member of the committee on agriculture, in defense of himself.

Mr. Pinchot denies that either the forest service or himself ever paid a cent to any newspaper or magazine to advertise the bureau's work; that either his bureau or himself ever instigated or procured attacks on public men, and denies the misuse of public funds. "It is obvious," he said, "to anyone who will consider the matter for a moment that the character, intelligence and news sense of Washington and other correspondents and of every editor and writer who has ever made use of our material, is the most effective barrier to any such scheme of work as the forest service has been charged with."

The surest way to prevent any fair consideration of the bureau's work by the press, he says, "would be to attempt such a campaign of puffing or exaggeration as has been charged."

No newspaper man, he says, further, ever received material from the forest service who did not know it came from the forest service.

Mr. Pinchot closes his letter by defending his policy of sending forest officials to meetings of forestry bodies in order to hear complaints, if any, against the service or to give suggestions.

Job White, agent Pacific Manifolding Book Co., can be addressed, The Butte Hotel, Butte, Mont.

EARLY DECISION EXPECTED

Arguments on Petition of U. S. Smelting Company Heard Before Judge Marshall.

Judge John A. Marshall in the United States court yesterday forenoon heard arguments in the proceedings involving the granting of the petition of the United States smelter for a modification of the injunction which prevents it from treating ores containing more than 10 per cent of sulphur. The hearing has been on in the court for three days. The smelter people claim that by the installation of a bag house and other devices they can rid the smoke from the furnaces of their harmful effects. The farmers say that the devices installed by the smelter do not really divest the gases of their poisons, but only change them in color and form.

The arguments yesterday were made for the smelter by Judge Andrew Howatt and Judge W. H. Dickson and for the farmers by Former Senator J. L. Rawlins. Judge W. H. King, who also represented the farmers, did not take part in the court debate.

It is quite within the range of possibility that Judge Marshall will render a decision by Saturday morning.

A CARD.

This is to certify that all druggists are authorized to refund your money if Foley's Honey and Tar fails to cure your cough or cold. It stops the cough, heals the lungs and prevents serious results from a cold. Cures la grippe, coughs, and prevents pneumonia and consumption. Contains no opiates. The genuine is in a yellow package. Refuse substitutes. F. J. Hill Drug Co., "The Never Substitutors."

ERROR IN THE RECORD.

Sutherland Credited With a Speech Made by Senator Teller.

(Special to The Herald.)

Washington, April 1.—The following have been appointed clerks in the forest service: Vernon Metcalf of Salt Lake, Carl A. Matteson of Salina, Margaret E. Jensen of Logan; forest guard, James G. Huston of Panguitch.

Senator Sutherland is disturbed concerning an error in the congressional record of Monday last in which the argument of Senator Teller of Colorado against the bill authorizing construction of a dam across Snake river is printed as having been made by him. In his remarks Mr. Teller said that he visited the region where the proposed dam is to be built some forty-two years ago, and invested some money in that part of the country, his investment still being there. He opposed the bill because he did not want to see anything done to interfere with the development of the country. As Mr. Sutherland was in favor of the bill, he does not relish being credited with arguments against it, nor does he wish to appear to have visited Idaho and Washington at the age of 4, making investments.

COLORED WAITERS STRIKE AT WILSON; THEY NOW HAVE A LONG WAIT COMING

Smiling Sambo, with a complexion in strong contrast with the white napkin upon his arm, will adorn the Wilson hotel no more forever. White waiters now serve the Wilson guests. Manager Fred Wey announced that the white waiters are there to stay.

"There was a strike of the colored waiters," he said, "but it is ended. I told the striking waiters that they could return under certain conditions. They refused my offer. Then I employed other waiters. They have given me satisfactory service and will remain permanently at the hotel. I was ruffled when the strike took place. But the trouble is over. I am feeling better now."

The strike of the negro waiters occurred at noon yesterday, after Manager Wey had refused to discharge the Wilson chef at the demand of the waiters. As they filed out, Mr. Wey called to the leader of the orchestra to play lively music.

"If the hotel is going to smash," he said, "we will meet the end with pleasant strains upon our ears. No dirges."

For two hours the orchestra played on, although the tables were empty and the usual bustle of luncheon time was lacking.

The glittering interior of the hotel dining room and its emptiness reminded one of the stories told of haunted castles.

Guests of the hotel, on finding that there were no waiters to serve them, good-naturedly glanced into the dining room and then went elsewhere for luncheon.

After the music ended, Manager Wey saw representatives of the striking waiters and informed them that they could return to work, and on their refusal recruited a force of white waiters from the downtown restaurants.

The trouble at the Wilson grew out of a feud between the negro waiters and the chief cook. The waiters claimed that the cook used ungentlemanly language toward them. That they reciprocated was indicated by a sign placed in the kitchen by the head waiter, forbidding the waiters to use profane language in the kitchen.

The waiters claim that Mr. Wey did not receive their complaint in the proper spirit, and allege that he outdid the cook in the rhetorical manner in which he informed them that they could go to a warm spot if they didn't feel disposed to attend to their duties and leave the cook alone.

APRIL 1 AT THE UNIVERSITY

April 1 was observed in hilarious style by the students at the university. The fun commenced early in the morning and the final stunt was not pulled off until the last person left the buildings in the evening. When the classes started in the engineering building at 8:30, many professors found that access to their lecture rooms was impossible, and the ones who gallantly defied the ingenuity of the students and forced entrance to their rooms got in there only to hear their own words as they were reflected back from the empty seats. Some classes were conducted in the usual manner except that every student refused to respond. The calling of the roll in one class resulted in each member rushing to the window and dropping to the ground. The outraged professor attempted to stop their ungainly exit and while he was so doing the rest escaped through the door. Many doors were locked and the keyholes stuffed up with cheese, while ammonia was distributed liberally throughout the buildings. In the afternoon a number of the classes were adjourned and the students retired to one of the down-town theatres. The faculty members did not voice their indignation yesterday, but the miscreants expect that their day of reckoning will come soon.

The feature of the hilarity of April First was the April Fool issue of the Chronicle. With that as an excuse the professors suffered unmercifully. The general style of issue was a yellow sheet with blood-curdling heads. "A new building to be started Monday that will surpass anything on the campus," and "Dr. Howard, the venerable curator of the museum discovered making imitation fossils" were among the sensational stories. In the editorial columns an article intended to be serious severely scored the school authorities for the action that had been taken in the Chamberlain-Cardiff affair.

The program for the minstrel show given next Friday evening in the museum building by the U club was issued yesterday.

An oratorical contest will be held next Saturday evening in the assembly hall between representatives from the high schools of the state. The final arrangements have been completed, and there will be about twelve entries.

During the absence of Professor Marshall, who went east with the body of Mr. Gilbert, Professor Reynolds and Mr. Hedger are conducting English classes. Several advanced students are assisting them in the work.

FUNERAL THIS AFTERNOON.

Mrs. Shoebridge, an Old Resident, Called by Death.

The funeral of Mrs. Emma T. Shoebridge will be held this afternoon at 3 o'clock in the Eighteenth ward chapel. Mrs. Shoebridge died at 7:15 o'clock Tuesday morning at the home of Mr. and Mrs. P. J. Moran, 1106 East South Temple.

Mrs. Emma T. Shoebridge.

Mrs. Shoebridge was one of the most widely known residents of this city. She was an early comer to this region, having arrived in Utah in 1852. She was born in England sixty-one years ago.

Mrs. Shoebridge leaves five daughters and one son. They are: Mrs. E. L. Sheets, Mrs. P. J. Moran, Mrs. John F. O'Brien of Oakland, Cal.; Mrs. Monroe Wilkinson, Miss Hazel Shoebridge and Harold Shoebridge.

Mr. S. L. Bowen of Wayne, W. Va., writes: "I was a sufferer from kidney disease, so that at times I could not get out of bed, and when I did I could not stand straight. I took Foley's Kidney Cure. One dollar bottle and part of the second cured me entirely." Foley's Kidney Cure works wonders where others are total failures. F. J. Hill Drug Co., "The Never Substitutors."

MADE HIMSELF AT HOME.

For Which "Dick" Duncan Is Given Thirty Days in Fillmore Jail.

Fillmore, April 1.—Richard Duncan of Meadow, this county, is again in the toils. "Dick," as he is commonly called among his fellow townsmen, came up here Saturday, together with some of his friends, to witness a ball game between Kanash and Fillmore. But "Dick" belongs to that class of individuals whose craving for cheap whisky is something enormous, and, according to the saloon element, he scored more hits at the three booze resorts here than did any other ball player in the contest.

But the saloons are compelled to close up at 11 o'clock at night and, "Dick," enthused with a wonderful jag at that hour, commenced to perambulate. The night was a bleak and cold one, and, benumbed to the very core, he was compelled to find some place of shelter or freeze.

He found it, but it was without the consent of the host or hostess of the house which he entered. At about 3 o'clock a. m. William Trampton heard a loud noise in the pantry. He arose to investigate, and when he entered the kitchen he was astounded to find "Dick" Duncan seated by a warm fire quietly cooking his breakfast.

Mr. Trampton notified Marshal Laven and Duncan was promptly escorted to jail, where he spent a quiet Sunday.

Monday a complaint was filed charging him with disturbing the peace. He was given thirty days in the county jail.

Duncan was reecntly released from the state prison, where he had spent a term for horse stealing. The crime was committed while he was intoxicated, in Beaver county.

A grand ball will be given here Wednesday night. It is free to all Fillmore people, or any one else who wishes to participate.

This philanthropic pastime is extended to all by William Goulter. Mr. Goulter has been a confirmed bachelor for over sixty years, until Wednesday, when he became a benedict. To commemorate the event he has employed a special orchestra from the north to furnish the music for the event.

Saltair. Friday. Train leaves 8 p. m. Closed coaches.

Don't Miss Seeing

"Cinderella" and "Squawman's Daughter," Empire theatre.

HEALTH OFFICERS TO MEET

Delegates From Various Parts of the State Will Attend Today's Convention.

The meeting of health officers from various parts of the state will begin today in the council chamber of the city and county building. Dr. T. B. Beatty, the secretary of the state board of health, will deliver a brief address in which he will call attention to the purposes of the law passed at the last legislature providing for this meeting annually. The expenses of the various health officers are to be defrayed by the city or county whence they come. The object is to get into accord and closer touch with one another looking toward the eradication of prevalent diseases, if any the state is subject to, and the prevention of their recurrence. In brief, the convention will talk over the situation in general, bringing reports in particular from the locality in which he is an officer.

It is believed that the interchange of information and ideas will result in a general augmentation of the health service throughout the state.

M'CANDLASS OUT ON BAIL

Provo, April 1.—Duane McCandlass, charged with causing the death of Moses Jones of Lehi, on the 12th of this month, has been admitted to bail by Judge Booth. The amount is $2,500, with W. L. Evans and John Wing as sureties.

Judge Booth was in Salt Lake City yesterday.

Marriage licenses have been issued to the following couples: Edward Lowe of Honey Creek, Iowa, and Emma A. Boardman of Provo; Leffel Bean of Provo and Etta Palmer of Fayette; Alma Bourne of American Fork and Sylvia Moyle of Alpine.

The Smoot Lumber company has commenced suit against John Arneson to collect $68.23, alleged to be due for goods, wares and merchandise.

The Utah County Medical society held its regular monthly meeting yesterday. There was a large attendance of citizens, an invitation having been extended to the public. Dr. Frederick Cliff presented an able paper on "The Social Evil," and the subject was interestingly discussed by Dr. F. W. Taylor and Dr. George H. Brimhall. "The Current Medical Situation" was presented by Dr. J. W. Slater.

Alex Rogers, representing The Herald, has opened an office on Center street, near Second West.

CHARGE HAS FOUR COUNTS

Eben J. Gregory, Accused of Coin Sweating, Enters Plea of Not Guilty.

Eben J. Gregory, who was arrested on a warrant from the United States court Tuesday evening by Chief Deputy United States Marshal Lucien H. Smyth, on a general charge of "sweating" United States coins, was yesterday arraigned before Commissioner Charles Baldwin to answer to four counts. He pleaded not guilty and will be given a preliminary examination this forenoon at 11 o'clock.

The first charge is that of passing a defaced coin on August Oellti; the second, passing a similar coin on Hans Jepperson; the third, having in his possession when arrested defaced and mutilated coins, and the fourth, defacing the coins. The accumulated penalty, if Gregory is found guilty, will be twenty years. The failure of the defendant to provide bonds sent him again into the custody of the marshal, and he is now in the county jail.

Gregory was taken from the city jail to the county jail yesterday morning. During the afternoon, Mrs. Gregory visited the accused man. There was a touching meeting between the attractive young wife and the alleged coin sweater. Gregory seemed cheered by the loyalty and confidence of his wife.

This May Interest You.

No one is immune from Kidney trouble, so just remember that Foley's Kidney Cure will stop the irregularities and cure any case of kidney and bladder trouble that is not beyond the reach of medicine. F. J. Hill Drug Co., "The Never Substitutors."

WHAT HAPPENED IN MARCH

Weather Bureau Issues Record of Things That Occurred in Sky and on Earth Last Month.

A comprehensive summary of the things the weather did to the people of Salt Lake and hereabouts is contained in the monthly bulletin issued yesterday by the weather bureau. The bulletin shows that there were eleven clear days, fourteen partly cloudy days and six cloudy days. The days on which precipitation of one-one-hundredth of an inch or greater occurred were seven. The highest temperature was 71 on the 16th and the lowest 21 on the 7th. The greatest daily range was 30 degrees on the 20th and the least daily range 9 on the 26th.

Only 1.79 inches are recorded in the precipitation column. The 4th and 5th and 31st are credited with the heaviest fall. On the 4th the report shows a precipitation of .56, the 5th, .82 and the 31st, .22.

The weather yesterday was all that any one within reason could expect of it. The maximum was 42, the minimum 25. There was no snow or rain. The prediction for today is that fair weather will prevail. The meteorological record for the day reads:

Temperature at 6 p. m., 39; maximum temperature, 42; minimum temperature, 25; mean temperature, 34, which is 12 degrees below normal. Total deficiency of temperature since the first of the month, 12; accumulated excess of temperature since Jan. 1, 137 degrees. Total prepacitation, none; total precipitation since the first of the month, none, which is .97 inch below normal; accumulated deficiency since Jan. 1, 1.29 inches. Relative humidity at 6 p. m., 42 per cent.

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May be permanently overcome by proper personal efforts with the assistance of the one truly beneficial laxative remedy, Syrup of Figs and Elixir of Senna, which enables one to form regular habits daily so that assistance to nature may be gradually dispensed with when no longer needed as the best of remedies, when required, are to assist nature and not to supplant the natural functions, which must depend ultimately upon proper nourishment, proper efforts, and right living generally.

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IT'S NOT QUITE TIME

To let the furnace fire go out. April has been known to start many a bad spell of weather and leave it for May to finish. Have you plenty of coal?

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Talk with your doctor about Ayer's non-alcoholic Sarsaparilla. Ask him if he prescribes it for pale, delicate children. Ask him if he recommends it when the blood is thin and impure, and when the nerves are weak and unsteady. Ask him if it aids nature in building up the general health.

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ALL LEADING COLORS AND BLACK; PLEATED, GORED AND FLARE MODEL SKIRTS.

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SPECIAL SALE OF NEW SPRING SKIRTS!

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