NO GUESS WORK

STANDARD DISPATCHES ARE GENUINE AND GUARANTEED BY THE GREATEST NEWS GATHERING ASSOCIATION IN THE WORLD

The Ogden Standard.

WEATHER FORECAST

UTAH—THE INDICATIONS ARE THAT THE WEATHER WILL BE FAIR TONIGHT AND TOMORROW.

39TH YEAR—NO. 60 | OGDEN CITY, UTAH, THURSDAY EVENING, MARCH 11, 1909 | PRICE FIVE CENTS

GEN. WASHINGTON RESUMES HIS ARGUMENT FOR THE DEFENSE

In a Frenzy of Oratory, He Denounces the Carmack Editorial in Which Colonel Cooper's Name Is Linked With Disreputables—He Also Declares That If Coopers Had Not Been Armed, They Would Be in Their Graves Today

Nashville, March 11.—The attendance today at the opening of the Cooper-Sharpe murder trial, showed a decrease, and when General Washington resumed his argument for the defense, there were many vacant seats. Mrs. Lucas Burch, Robin Cooper's sister, who collapsed yesterday, was in court today pale and wan, but bravely attempting to cheer and encourage her brother. Mrs. Carmack did not appear, and it was stated that she was too ill to leave her room.

Working himself into a frenzy of oratory, General Washington devoted nearly an hour to the wild denunciation of the Carmack editorial of October 21.

This editorial calls attention to a statement in the American from Ripley, which said that Patterson men were advocating trading Bryan for Patterson votes. Then the editorial called "the attention of the honorable Ban Murray,the Honorable Dunc Cooper, the Honorable Max Hartman and the Honorable Sol Cohen" to this report.

Washington vigorously explained that two of the two honorables named were disreputables, and that when Carmack associated Col. Cooper's name with theirs, he committed the gravest offense a man could commit, and affronted and insulted Cooper beyond endurance.

"But the state says no editorial ever written justifies killing a man. We agree that this is true. But we are only trying to show how they aroused Col. Cooper's anger and to explain his mental condition.

"The state says that this is only a ridiculing editorial. Well, what of it? You can drive a man insane with ridicule. You can send a man's son into a frenzy by ridicule, and ridicule is libelous and punishable with imprisonment."

General Washington asked the jurors if they had ever seen a bull fight. None intimated that he had, so the speaker described one. He compared Col. Cooper with the bull and declared that Carmack's editorials were the banderillos which maddened the bull into a charge.

"Well, Carmack wrote 'The Diplomat of the Zwelbund' and he thus declared open war. He did it to declare open war and to compel Col. Cooper either to let him alone or to approach him on the street. He knew that with those crumpled fingers, Col. Cooper could not pull a trigger. He knew he was safe.

"Col. Cooper saw that Carmack was in an ugly mood. So he armed himself, and if he had not done so, he would be in his grave today."

Washington saw the error here—the defense contention being that Colonel Cooper never even drew his gun until the shooting was over—so he said: "If Robin Cooper had not armed himself, they would be both dead today."

FINDS A PACKAGE CONTAINING $25,000

SMALL FORTUNE IN NEGOTIABLE SECURITIES LEFT ON COUNTER.

Though Two Days Have Passed, Property Has Neither Been Claimed Nor Advertised for.

San Francisco, March 11.—That someone in this city is so careless of his wealth that he can lose $25,000 without making any inquiries for it, was the astonishing discovery of J. L. Samuels, who, two days ago, picked up a package in the dry goods store, with which he is connected, containing a small fortune in negotiable securities. Just as the store was about to close last Monday night, Samuels' attention was called to a large envelope which had been left on the hosiery counter. The contents of the envelope consist mainly of mining shares in paying concerns, and as most of them are unregistered, they could be easily negotiated.

Samuels waited for two days before announcing his find, in the belief that the owner of such a valuable package would certainly advertise his loss. The shares are now in a safe deposit where they will be kept until an owner appears and proves his property by naming the exact value of the shares and the companies which issued them.

SENATOR HUGHES TO SUCCEED SEN. TELLER

Washington, March 11.—Senator Hughes of Colorado will succeed his predecessor in the senate, former Senator Teller, as a member of the joint committee on the revision of the laws.

Because of Mr. Hughes' reputation as a lawyer it was especially desired that he should take a place on this committee, but at the same time, it was found necessary to appoint the committee before the close of the last congress. The senators who have in hand the work of revising the laws, hit upon the expedient of having Mr. Teller placed on the committee. Thus they procured the appointment of the full complement of members and at the same time prepared the way, through the retirement of Senator Teller, for a vacancy which will make it possible to assign Mr. Hughes to this service.

ENGINEER DIES IN WRECK

Derailment of Train Is Work of Cowardly Wreckers

Monroe, La., March 11.—As a result of the work of train wreckers, the southbound express on the Arkansas, Louisiana and Gulf railroad was derailed twenty miles north of this city shortly before midnight last night.

Engineer C. W. McDaniel was killed and Fireman J. B. Gowan seriously hurt. No passengers were among the injured.

An investigation showed that a switch had been thrown and spiked while the signal light had been turned so as to show white. The train was bound from Little Rock, Ark., to Monroe, and was traveling at a rapid rate.

BRYAN HELPS TO PUSH AUTO OUT OF MUD HOLE

Pittsburg, Pa., March 11.—With a big limousine, in which he had been riding, stuck in the mud, William J. Bryan, late candidate for presidency, yesterday assisted his fellow passengers in pushing the automobile out of a hole. He was going from California, Pa., to Waynesburg, to lecture, when the machine stuck. Wading in mud up to his shoe tops, Mr. Bryan lent a shoulder, and with his assistance the automobile was shoved out of the mire to solid earth again. The same performance was repeated several times before the trip was over and Mr. Bryan had to stop at Washington, Pa., to have his shoes and clothing cleaned before going on to deliver his lecture.

BIG SUIT DECIDED AGAINST "COTTON KING"

New York, March 11.—Justice O'Gorman, in the supreme court yesterday decided that Mrs. Grace W. Savage, who sued Daniel J. Sully, the former "Cotton King," to recover $15,000, which she had entrusted to him to invest in cotton speculation, was entitled to the full amount with interest since May, 1906. During the course of the trial it was shown that Mr. Sully invested Mrs. Savage's money in a soap corporation which failed. In rendering his decision the court said:

"From the beginning of the transaction the defendant acted in absolute disregard of his duty to the plaintiff."

JUDGE RELEASED FROM INSANE ASYLUM

HE HAD BEEN CONFINED IN SANITARIUM FOR TEN YEARS.

The Restoration of His Liberty Followed an Eloquent Address Made by Him on Lincoln.

Plainfield, N. J., March 11.—John Ulrich, a former city judge of this place, has been released from the Morris Plains insane asylum after ten years' confinement. The restoration of his liberty came about in a dramatic manner on Lincoln's birthday when he delivered an address at the institution on Lincoln so eloquent and so indicative of a sound mind that the officials immediately took steps to bring about his parole. After his release yesterday, Judge Ulrich came to the home of his brother-in-law in this city, and when the news spread about town, hundreds of friends who had known him in days gone by, gathered to extend their congratulations. A nervous breakdown ten years ago caused the judge to be committed to the asylum by his family.

Prior to that he had been a prominent member of the New Jersey bar and well-known in Masonic circles.

Describing his experience in the insane asylum, just prior to his release, Judge Ulrich said:

"When I asked to deliver an address on Lincoln, I was suddenly imbued with the hope that a great opportunity to prove my sanity had arrived. I worked with great application on the address and although a bit nervous when I began to deliver it, when I finished I felt sure that they must know that I was sane. Later events justified my feelings."

It is probable that Judge Ulrich will resume the practice of law after a brief rest.

CHECK WRITTEN ON BLOCK OF PINE IS CASHED

Cincinnati, O., March 11.—The Fourth National bank of this city was yesterday presented with a check for 83 cents written on a block of pine wood one inch thick, one foot long and six inches wide and the same was paid.

A Cincinnati real estate dealer become engaged in a dispute with a tenant over a broken window pane and the tenant being compelled to pay the expense, wrote the check on the pine block.

OFFICIALS OF THE GOVERNMENT TO CONFER

ACTION IN REGARD TO STANDARD OIL TO BE DECIDED ON.

Several Cases Against the Company Will Be Prosecuted as Promptly as Possible.

Washington, March 11.—The officials of the department of justice today again declined to discuss what further action would be taken by the government with respect to the several other criminal cases against the Standard Oil company for accepting rebates, now pending in the courts for the northern district of Illinois. It is understood, however, that Messrs. Wilkerson and Sims, government attorneys, will come to Washington within the next few days for a conference with Attorney General Wickersham, when it is presumed a course of action will be decided on.

The decision of the court yesterday in the $29,000,000 fine case, leaves still pending in the Chicago district court three double cases, in which two separate grand juries have found indictments. These three double cases are understood to be similar, if not identical, with the case decided yesterday.

There also are several cases against the Standard Oil company now pending in the western district of New York, and it is believed that these cases will be prosecuted as promptly as possible.

Consideration already has been given by government counsel to the case of the United States against the Standard Oil company which shortly is to come to trial at Jackson, Tenn.

The indictment in that case contains 1,500 counts, the specific charges being that the Standard shipped from Whiting, Ind., to various points in the South, 1,500 or more carloads of oil on which concessions in rates were made by the railroads.

The decision of the circuit court at Chicago is not binding as a matter of law on the Tennessee judge who may try the case, as he is not in the same circuit, but it is considered likely that he may follow the Chicago court so far as the two cases have similarity. The Tennessee case probably will be heard by Judge John E. McCall of the western district of Tennessee.

A four-horse rebate team can be driven through the Elkins law, as it stands now, after the decision of the United States court of appeals, and that of Judge Anderson in the Standard Oil case at Chicago.

An attorney who could not protect a client from a charge of rebating, if those decisions are sustained, would not be worthy of his hire.

This was the opinion expressed by an important law officer of the government in the course of a discussion of the Standard Oil cases now pending in various parts of the country.

The law officer pointed out that Judge Landis, when he imposed the $29,000,000 fine upon the Standard, held that it was the duty of a shipper to make reasonable inquiry as to whether the rate he was using was lawful or not. Judges Grosscup, Seaman and Baker of the United States circuit court of appeals, reversed that statement of the law, and held, substantially, that the government had to prove that the shipper knew he was getting an illegal rate. In the opinion of government officers, that rarely, if ever, could be done. In this view of the situation, the Elkins law is practically nil.

D. B. CAMPBELL IS DECLARED SHERIFF

Rawlins, Wyo., March 11.—The election contest case between Walter Hyland, (Republican) and D. B. Campbell, candidate for sheriff, which was heard in the District court, and then taken through the supreme court, has been decided by the board of county commissioners in favor of Campbell, the Democratic candidate. The canvassing board was ordered to re-canvass the vote, counting the "maverick" votes, and this was done, showing that Campbell and Hyland received exactly the same number of votes. The commissioners declared the tie in favor of Campbell, who qualified at once.

STORY OF MURDER TOLD

Ranchman Is Said to Have Been Killed by Cowboy

Pueblo, Colo., March 11.—A sensational story to the effect that a plot for the murder of Peter Dieter, the wealthy Chicago ranchman, who disappeared last fall from his place at the foot of the Greenhorn mountains about 35 miles from Pueblo, had been discovered, is discredited in this city.

Bay Gordon, the cowboy, who is suspected of having murdered the young man, some time ago gave a check signed by Dieter to a woman of this city. This apparently is the only foundation for the story of a plot. It was at first reported that Dieter had not been seen since last September, but this is proved to be incorrect from the fact ascertained this morning that he had bought several articles for household use from a local furniture concern, October 16, and he was seen on the streets of this city during the latter part of November or early in December.

The heavy snowstorm of yesterday and today has prevented close search of the neighborhood of the ranch.

STATE LEAGUE IS TO BE ORGANIZED

Question of Salt Lake Team Put Squarely Up to the Fans.

Salt Lake, March 11.—Much enthusiasm for the Utah State Baseball league and for the Salt Lake club in the league was seen at a meeting of the local fans held at the Commercial club last night. The meeting was presided over by H. O. Sheppard, Salt Lake's representative in the league. Reports were received from Murray and Ogden saying that the two clubs were again ready to enter the league. To start the Salt Lake club a committee of five on permanent organization was named, whose duty it will be to start the ball rolling.

The following resolution was adopted on the ball situation, putting the question squarely up to the local fans, on whom the success of any club depends:

"Whereas, It is the unanimous sense of this meeting that the Utah State Baseball league is the only practicable medium to insure league baseball in Utah for the season of 1909:

"And whereas, It is imperative that, as a member of the Utah State league, the organization of the Salt Lake Baseball club be perfected at the earliest possible date,

"Therefore, be it resolved, That it is the duty of each and every fan in this city to lend both his financial aid and active support to the Salt Lake club and thereby advance the interest and standing of the national game in Utah."

The committee on permanent organization consists of Dr. C. G. Plummer, chair; John F. Tobin, Irvin Jensen, H. O. Sheppard and J. N. Maynard. Work on the finance, officials and ground will be started at once.

COWBOY SIGNS WITH CIRCUS.

Cheyenne, Wyo., March 10.—Johnnie Bullen, a cowboy employed at one of Senator Warren's ranches south of here and who came to Wyoming a tenderfoot from New York a few years ago, has engaged to ride bucking bronchoes in a Wild West show in London the coming season. Bullen is now one of the most expert horsemen in the state.

ACTRESS IS SICK.

Cheyenne, Wyo., March 10.—Miss Florence Roberts, who appeared here in the leading role in "The House of Bondage," is seriously sick, and immediately after the performance was taken to an Omaha hospital for treatment.

INTEREST IN PAYNE BILL

Newspaper Men and Others Anxious About the Tariff Measure

Washington, March 11.—With the Payne tariff bill practically ready to be introduced on the first day of the special session, newspaper correspondents, anxious to learn what has been done with schedules affecting the section in which their papers circulate, and manufacturers and others, who have interests that will be affected by the new measure, gather daily at the ways and means committee room in an effort to learn something regarding the new bill. No legislative measure has been so carefully guarded as the document now being framed.

The proposition that has given the committee the most concern, and which has been the most difficult to determine, is the plan to tax coffee. Some Republican members declare that the taxing of the breakfast table would make it impossible for the Republicans to carry their district at the next election. The National Coffee & Tea association wrote to the committee that a tax on coffee or tea would be unjust to consumers, detrimental to trade, irritating to the masses and finally would fail to produce any material revenue to the government for nearly two years to come.

"A duty of five cents upon coffee would mean an immediate profit of at least $6.50 per bag upon every bag in the United States to owners thereof," is the claim made in brief. "There being nearly 4,000,000 bags at present held here by individuals, corporations and Wall street speculative interests, such a duty would mean a profit of $26,000,000 to the owners and holders thereof, but it would not mean one dollar paid into the United States treasury."

Paper and pulp manufacturers have expressed joint alarm over the report that the committee would include in the bill the changes in the pulp paper schedule, recommended in the report of the Mann committee, which investigates the pulp and paper questions. The American Paper & Pulp association, through its president, Arthur C. Hastings, has submitted a lengthy brief, urging certain changes in the recommendations made by the select committee. "We cannot too emphatically state that the recommendation of the select committee will fill us with alarm," says Mr. Hastings, "and we believe if adopted, it would inevitably be injurious to our industry, to the country, and ultimately to the consumer."

The Mid-Continent Oil & Gas Producers' association, claiming to embrace in its membership the owners of 87 1-2 per cent of the producing oil wells in Oklahoma and Kansas, which produce 60 per cent of the high-grade refining crude oil of the United States, has submitted a brief urging that the present countervailing duty on petroleum be maintained. The countervailing clause of the Dingley tariff imposes on oil imported from other countries the same duty which they collect on oil imported to them from this country.

HOW TAFT BEGAN HIS FAMOUS CAREER

ACCEPTS APPOINTMENT DECLINED BY WARRINGTON.

The Latter Is Now Chosen by President Taft to Succeed Richards on Federal Bench.

Cincinnati, O., March 11.—An interesting story is related here in connection with the announcement of the appointment of Attorney W. Warrington, as the late Judge J. K. Richards, successor on the United States circuit court bench. According to this story, when General Harrison was chosen president, he offered Warrington a place on the federal bench. Warrington declined the honor and asked President Harrison why he did not appoint "Will Taft." President Harrison did so, and from the date of that appointment, Taft has been in the government service.

Warrington received a telegram from President Taft yesterday informing him of his appointment as Judge Richards' successor.

SKELETON OF AN INDIAN IS UNEARTHED IN CALIFORNIA

San Pedro, Cal., March 11.—The skeleton of an Indian was unearthed at White's Point yesterday by men operating a street grading machine. It was that of a man of unusual stature, an abnormally large head and thickness of skull and gave evidence of having been buried for many years.

FAVORITE HAUNT OF GROVER CLEVELAND SOLD

Princeton, N. J., March 11.—One of the favorite haunts of the late Grover Cleveland, the farm which lies about three miles from Princeton, was sold yesterday to David V. Pickers, a merchant of New York. Extensive improvements will be made on the property by the new owner. There is a pretty stretch of woodland on the farm in which Mr. Cleveland was accustomed to hunt rabbits.

WYOMING STOCK GROWERS ASSOCIATION TO MEET

Cheyenne, Wyo., March 11.—The annual meeting of the Wyoming Stockgrowers' association will be held here April 6. This was formerly one of the largest and most powerful organizations of stockmen in the country, but changed conditions on the range country has caused a lack of interest, if not a falling off in membership. W. C. Irvine of Rose, Wyo., is president, and will probably be re-elected. Miss Alice Smith of Cheyenne has served the association as secretary for many years and will undoubtedly be re-elected.

PRISONER ESCAPES DEATH

Murderer of Clara Rosen Almost Falls Into the Hands of Avengers

Sigourney, Iowa, March 11.—After a ten-mile drive over the worst roads experienced in Iowa on the darkest night imaginable, and then a twenty-mile ride upon a handcar, Sheriff Grimes, with his prisoner, John Junken, the confessed murderer of Clara Rosen, the Ottumwa choir singer, managed to escape what he believed to be the approach of a mob and landed his prisoner in the state penitentiary at Fort Madison. He left the jail in Sigourney last night for his drive across the country upon the receipt of a telegram from Ottumwa that a mob was coming.

During the evening, Fred Rosen, brother of the dead girl, and four other men from Ottumwa appeared at the jail and asked to see the prisoner. They were strangers to the sheriff and represented that they were from Galesburg, Ills. The sheriff consented to permit them to get a glimpse of the prisoner, but before they entered the corridor, they were searched and four revolvers taken from them. It developed that they were in communication with the Rosen vigilance committee at Ottumwa.

Burlington, Ia., March 11.—A demonstrative mob of 200 men and boys met Sheriff Grimes on his arrival here this afternoon with the negro Junken. The conductor was persuaded to stop the train at a crossing near a police station and thus outwitted the mob. Junken is now in a well-guarded cell and no violence is anticipated. He will be taken to the penitentiary tonight.

APPEAL MADE TO SUPREME COURT

Jefferson City, March 10.—An appeal bond of $100,000 will be the basis on which a writ of error for an appeal to the supreme court of the United States will be granted to the Standard Oil company of Indiana, and the Republic Oil company of Ohio, according to action taken by the supreme court of Missouri, today.

The appeal acts as a stay of execution on the judgment announced by the court yesterday, by which the ouster decrees against the companies, were affirmed. Both the Indiana and Republic companies will have the right to continue business in the state, pending a decision by the federal tribunal.

The prayer for a writ of error was filed by Frank Hagerman of Kansas City. He declared that the big bond, demanded by the court, will be filed within a few days and that the perfection of the appeal will follow shortly thereafter. The attitude of the state towards the appeal was stated by Attorney General Major, who said that as soon as he received proper notice, that the case has reached the supreme court in Washington, he will enter a motion for the dismissal of the writ of error on the ground that no federal question is involved. He will urge that the Missouri statutes, upon which the ouster decree is based, are right and that they do not take private property without due process of law. This course is expected to place the matter upon a square issue that will determine the constitutionality of the anti-trust laws of this state as well as several others.

Last of Famous Corps.

A pathetic, almost historic, little function was held in Paris recently, when, probably for the last time, the few survivors of the famous old "Cent Gardes" met at luncheon. The "Hundred Guards," whose number was much larger than their name implies, formed the personal bodyguard of Emperor Napoleon III. Every man among them used to be over five feet 11 inches in height and broad in proportion. Most of the survivors are well over six feet. To-day there are but 80 still alive, and of the 80 not more than 2[illegible] are free from the infirmities of old age. The youngest is M. Boutin, inspector general of the principality of Monaco, who is 58.

OFFICERS HAVE NO CLEW

Identity of Assassins of Father Ansoin a Mystery

Newark, March 11.—The efforts of the entire police force have so far been unavailing in getting any tangible clew to the murderers of Father Ansoin, who was shot and killed yesterday in the rectory of St. Stanislaus Polish Catholic church, of which he was pastor. Another arrest was made today, making nine men who have been taken in custody on suspicion, but none of them, as far as known, has thrown any light on the mystery. The police learned today that, for a long time past, the apartment of a woman near the rectory had been the meeting place of a number of Poles after mass on Sunday and that threats against the priest's life had been overheard at these meetings.

Antonia Sewrzytska, the housekeeper, who was shot, was so much improved today that the nine suspects may be taken before her today.

Through a story told them today by 11-year-old Dorothy Gormack, the police became convinced that Father Ansoin's slayers had been lying in wait for him more than a week. The girl said that while in the church on Tuesday, March 2, she had seen a man hiding behind a pillar. As Father Duga, assistant to Father Ansoin, entered the church, the man scrutinized the priest closely and then quietly left the building. Father Duga confirmed the girl's story, having noticed the man behind the pillar. The stranger was described as well dressed and wearing a brown overcoat.

That threats against Father Ansion had been made by members of a society connected with his church at a meeting held Sunday night in the church basement, was the statement made to the police today by Mrs. Adam Sampson. She said her husband had overheard the threats. Detectives were sent to find Sampson.

TWO MEN WORK A FAKE HORSE GAME

CATTLE RAISER IS THEREBY ROBBED OF $10,000.

Mitchell Thought He Was Victim of Chance Rather Than of a Bunco Game.

Los Angeles, March 11.—The police of this city have arrested two men known as J. D. Ward and Bud Clayborn and they say they will charge them with working a fake horse race game on W. G. Mitchell, a cattle raiser of Sprague, Wash., by which Mitchell is said to be out of pocket about $10,000.

The alleged fake horse race took place yesterday on a vacant lot between Arcadia and Monrovia and it was so cleverly worked, detectives allege, that Mitchell believed even after his money was gone that he had been the victim of chance rather than of a bunco game, and refused to give information that would lead to the arrest of the men until after he had been himself arrested and sweated by the police.

PAST MASTER LLOYD DIES IN SAN FRANCISCO

San Francisco, March 10.—Reuben H. Lloyd, one of the most widely known attorneys of this state, past master of the Grand Encampment Knights Templars, died today at his home in this city, after an illness that has kept him out of active life for many months.

Mr. Lloyd has held many high positions under the municipal government, being a member at various times of several of the most important commissions. He has numbered the greatest business organizations of the state and city among his clients and represented them in litigations involving vast sums.

BACKED BY $1,000,000.

Washington, March 10.—Backed by an appropriation of $1,000,000 by congress and with a large forceofspecial field agents, Commissioner Bennett of the general land office, is preparing vigorously to prosecute an investigation into charges of wholesale fraudulent acquirement of public lands in the west by corporations and by individuals.

The proposed investigation is the result of an appeal made to congress by Former Secretary Garfield, for a $1,000,000 fund with which to recover more than $110,000,000 worth fo lands alleged to have been fraudulently acquired from the public domain. Officials believe there is reasonable prospect of recovering much of the land.

The force of special field agents will be gradually increased to about 150 men to investigate more than 32,000 cases of alleged frauds now in hand and to undertake any new cases that may arise.