

JOSEPH HENRY MARTIN SENT TO PRISON FOR FIVE YEARS

Man Found Guilty of Being a Blackhand Is Escorted to State Penitentiary in An Automobile by Sheriff De Vine, Chief Norton and David Edwards, the Man He Shot —Attorney Gives Notice of Appeal to Supreme Court.

Joseph Henry Martin was taken to the state penitentiary this morning to serve five years for an assault on the person of Pinkerton Detective David Edwards with intent to do bodily harm November 9, 1913, on west Seventeenth street. He went to the state institution in the custody of Sheriff T. A. DeVine and Chief of Police W. I. Norton. Detective Edwards was extended the courtesy of accompanying the officers and the prisoner to the capital city. The trip was made in the sheriff's automobile.

At 10 o'clock this morning Martin appeared in Judge Howell's division of the district court for sentence and, when asked whether he had any legal reasons to give why sentence should not be pronounced, he replied in a clear resonant voice:

"I have not."

In imposing a sentence of five years, Judge Howell stated that under the session laws of 1913 he had the power only to pass an indeterminate sentence, but to avoid the possibility of the legislative enactment being unconstitutional, he would fix the time at five years, the maximum sentence for the offense of assault with a deadly weapon with intent to do bodily harm.

The time sentence, if the laws of last year be followed by the prison board means nothing and the board of pardons will fix the time. Should it be considered that the law providing that district judges shall not be empowered to pass a time sentence is unconstitutional, then the five-year period for incarceration, as announced by Judge Howell, will stand.

When the sentence was pronounced, Attorney Soren X. Christensen for the defendant stated that an affidavit of impenitency had been filed and that he would ask 60 days in which to file a bill of exceptions, as the stenographer had stated that it would require that length of time to prepare a transcript of the evidence recorded at the trial. This means that an appeal will be taken to the supreme court in sixty days and that the entire case will be reviewed by the highest tribunal of the state. The state will pay the costs.

Mr. Christensen stated this morning that he would not attempt to "show probable cause" as that would

mean that Martin would be detained in the county jail under solitary confinement to which he has been subjected since his arrest. He desires to have his client in the state prison where he will be accorded the same privileges given other prisoners of the same class, and, he states, the appeal papers will be made out as soon as the transcript of the record is made.

The attorney for the defendant is of the opinion that the supreme court will reverse the judgment of the lower court and jury and that the case will be remanded back for re-trial. The principal error to be contended before the supreme court will be the admission of testimony respecting blackmail incidents outside of those immediately connected with the offense charged and upon which Martin was tried. If this point is sustained by the supreme court, Attorney Christensen says, in the second trial, there will be eliminated the testimony respecting the letters received by all mail atrocities, except the ones directed to L. R. Eccles in the early part of November last year, and he contends that there will not be much chance for the state to convict without that testimony. He says that it may be a year before the supreme court reaches the case.

District Attorney John C. Davis says that he will make arrangements to take up the other cases against Martin, the first one to be the indictment charging Martin with robbing Mrs. McLaren Boyle-Wallin in September, 1911. The case may be placed on the calendar some time in July. There is a possibility, however, of a suspension of further prosecution pending the consideration of the appeal by the supreme court.

Martin was cheerful in court this morning and he talked glibly with his friends and attorney. He met his wife and other members of the Martin family just before entering the court room in a pleasant way and his smile was returned by them as he came from his cell. The court room was pretty well filled with spectators and a number of those most interested in the outcome of the case, as victims of the blackhand affairs, were there to hear the sentence.

ORGAN FOR ST. JOSEPH'S CHURCH ARRIVES AND IS BEING UNLOADED

Occupies Two Large Freight Cars and Weighs 17 Tons—One of the Finest Instruments of the Kind in the West—Will Be Ready for Dedication Within a Month.

An event of rare interest to Ogdens music lovers, irrespective of creed, was the arrival in the city yesterday of the magnificent Kimball pipe organ purchased by the Catholics of Ogdens, for installation in St. Joseph's Catholic church.

The instrument was purchased at a cost of \$10,000 and its different parts occupied two large furniture cars and weighed 17 tons. A representative organ builder of the Kimball company is expected to arrive in the city today or tomorrow and will proceed immediately with the placing of the organ. It is expected that it will be ready for use within three weeks or a month and the dedicatory exercises are now being arranged for.

There is no type of music that is more universally popular, with the exception of vocal music, than that of the pipe organ and the installation of the St. Joseph's church organ should mark another era in the musical growth of Ogdens.

The musical service at St. Joseph's church for a number of years has been greatly appreciated and the need of an organ worthy of the beautiful edifice has been felt for some time. Under the direction of Father Cushman, the members of the church have worked to accomplish the object now attained and the assembling

of the new organ should be a matter of pride not only to them, but to all the citizens in the community.

Father Cushman, personally, has been deeply interested in the purchase of the organ and says that it is one of the finest that could be bought. He has just returned from the Pacific coast and has heard and examined a number of the organs in the different cities of California. The organ for the local church is, in his opinion, the equal of any, with the possible exception of the one in the cathedral at San Francisco.

At the time of dedication, there will be an organ rehearsal to which the public will be invited.

Norma Phillips, Our Mutual Girl, at the Rex Theater. Every Thursday.—Advertisement.

TRUE, TOO.

"How busy you are just now at house cleaning. And yet your husband told me you were suspending operations."

"So we are. We're hanging wall paper."

Read the Classified Ads.

Orpheum Theater

SPECIAL MUSICAL EVENT

SUNDAY NIGHT, APRIL 26

NEW YORK'S GRAND OPERA CO. (Inc.) PRESENTS

FAUST

In English by World-Famed Artists, Assisted by Metropolitan Symphony Players

CHEV. SALVATORE GIORDANO

(Caruso's Protege and Nordica's Tenor)

RICHARD E. PARKS (Savage English Grand Opera Co.)
 ROMERO MALPIGIA (Boston Grand Opera Co.)
 HOWARD BUSHNELL (Chicago Grand Opera Co.)
 NORA D'ARGEL (Paris Grand Opera Co.)
 MARGUERITE HOBERT (Boston Grand Opera Co.)
 ETHEL M. PETERS (American Grand Opera Co.)
 KARL W. SCHULTZ, Orchestra Director.

SCENIC PRODUCTION—CHORUS BY PRINCIPALS.
 PRICES—50c, 75c, \$1.00, \$1.50. Seat Sale Tomorrow

BEN FORMAN CUTS HIS THROAT FROM EAR TO EAR

When Judge Howell called Ben Forman for sentence this morning, Forman did not respond. The district attorney then stated that because of self inflicted injuries a few moments before the convening of court the defendant would not be able to appear. The time for passing sentence was set for May 4.

Forman was convicted last Thursday of grand larceny and was to have been sentenced Monday morning but he asked for a continuance until this morning which was granted. Since last Monday he has made an effort to get in touch with some of his relatives at Heber City, but without avail. This greatly depressed him, the officers say, and in his desperation, because of disappointment and the state penitentiary again staring him in the face, at a few minutes before 10 o'clock he slipped into cell No. 3 of the county jail and, drawing a small knife from his pocket, slashed his throat from ear to ear.

The desperate man rushed from the cell with blood streaming from the gash in his throat and fell into the arms of Myron A. Smith who called for help. Forman was taken to the sheriff's office and county physician, Dr. A. A. Robinson, quickly summoned. The man was hastily taken to the Dees hospital where he was placed under an anesthetic and a number of stitches taken in the wound. It was discovered that the large arteries of the neck had not been severed and that, while the man had lost considerable blood, by which he was weakened, his condition was not considered of a serious nature. The knife cut extended from a point near the right ear across the throat to the left side, not being deep enough, however, to sever the main arteries. Had the knife been sharp in the opinion of those who examined the wound, Forman would have made an effective job of it.

As he sat bleeding in the sheriff's office, waiting for the doctor he complained that his people had not responded to his requests and he appeared to regret that he had not cut deep enough to end his life. He is about 55 years of age and already has served a number of terms in the state penitentiary for burglary and grand larceny. He is now considered a habitual criminal, to whom no leniency is given. The officers say that in all likelihood he will spend the balance of his days in prison.

Forman was found guilty of stealing a horse from William Pearce and a harness and buggy from William Anderson, both of this city, August 7, 1913. It was said on the witness stand that he took the outfit to Salt Lake and disposed of it for another rig, which he afterwards sold. He was arrested at Logan in November of last year and was returned to this district for trial. He was first tried in February of this year, the jury disagreeing, which necessitated the trial of last Thursday.

He was resting easy at the hospital this afternoon.

Halverson & Pratt, Lawyers. Suite 203, Col. Hudson Bldg. —Advertisement.

DOCTOR IS SUING TO RECOVER HIS FURNITURE

In Judge Howell's division of the district court this morning the case of Dr. S. E. Greene against W. B. Wedell was called for trial and W. H. Toller, J. W. Eitward, Isaac N. Pierce, Asael Farr, Elbert P. Drumiler, David S. Tracy, Thomas Evans and J. L. Carlson were empaneled as jurors.

The doctor is suing to recover the possession of certain office fixtures which he claims Mr. Wedell is unlawfully holding. The property is valued at \$100 and the plaintiff claims damages. On the other hand, the defendant disclaims wrongful possession of the property and contends that he has a rightful lien on the fixtures on an unpaid rental account of \$80.

MORTENSEN HELD AT POLICE STATION AS UNBALANCED

Officers Peterson and Hearn took L. C. Mortensen of Brigham City into custody this morning and the man was placed in the detention room at the city jail to await word from his relatives in Brigham City. Mortensen is the man who fainted on Twenty-fifth street, near Washington avenue, Tuesday afternoon and was taken to the Dees hospital. He was attended by Dr. Clark who decided that the man was mentally deranged.

He was released from the hospital the same night and yesterday he came to the police with a tale that he had been badly mistreated and had lost \$25 between the Culley drug store and the hospital. It was evident he was either partially under the influence of liquor or mentally unbalanced and one of the officers placed him on the Brigham City car yesterday evening and told him to stay on and go home. He jumped off the car, however, just as it was starting for the north and nothing was heard from him until this morning.

About 11 o'clock a report came to the station from the Culley drug store to the effect that Mortensen was in the store acting strangely and had tried to purchase some carbolic acid. He was then taken into custody.

THE STORE WITH THE GUARANTEE

I'M GOING TO MOVE

TO MY NEW STORE IN THE ECCLES BUILDING

BUT YOU PROFIT before I move, I've got to sell a lot of fine Jewelry at unprecedented reductions. You may choose from my entire stock at 25 per cent and even greater mark-downs. by these splendid offerings of strictly guaranteed jewelry — if you hurry.

I am not trying to close out any old or shop-worn lines, because my entire stock is new and fresh—however I must raise considerable cash to help defray the heavy expenses attached to moving and opening up a larger and finer store. Also, I want every man, woman and child in Ogden and vicinity to know that I am going to move—this great Removal Sale will successfully advertise the fact, and at the same time give you a splendid opportunity to buy fine jewelry at great savings.

SPECIALS FOR EVERYBODY

GUARANTEED WATCHES
With compass in stem—regular \$1.25 value—while they last **75c**

ROGERS' TEASPOONS
Heavy plate—extra special—yours at the half dozen **\$1.**

FINE SET RINGS
Ruby, emerald, sapphire, diamonds, pearls, opals, etc.—\$7.50 values **\$5.**

BABY RINGS
Because Harry Davis loves babies—regular \$1.00 rings—big variety—at **50c**

VANITY CASES
Beautiful engraved styles—regular \$2.00 values—Removal special **\$1.**

CUFF BUTTONS
Big variety of neat styles—guaranteed quality—\$3.00 values **\$1.75**

LADIES' WATCHES
Elgin or Waltham jeweled movements—guaranteed gold-filled cases—\$15.00 values **\$10.**

LOCKETS AND CHAINS
Beautiful combinations—guaranteed qualities—\$8.00 values, Removal Price **\$5.**

Specials for June Brides

and Brides of other Junes. This great sacrifice of fine jewelry offers great opportunities to those contemplating gifts for the June Bride. An entire stock at your disposal including every desirable wedding gift carried by the quality jewelry store.

CUT GLASS
A tremendous stock of finest makes, including Pitkin & Brooks, Irving American Cut Glass—all varieties reduced **25%**

MANTLE CLOCKS
An elegant piece of furniture—guaranteed time pieces—large variety of new styles to choose from at a reduction **25%**

HARRY DAVIS

THE POPULAR PRICE JEWELER—25th St. One door off Washington.

GO-TO-CHURCH SUNDAY TO BE OBSERVED IN THIS CITY

Ministers of Ogden to Urge on the People the Blessings of Uniting in the Moral Uplift Which Must Come From a Stimulated Interest in Religious Services.

A movement that has grown rapidly within the last few months has struck Utah. Utah must not fall behind other states, and Ogden must get in line with progressive eastern cities, and boom for a "Go-to-Church" Sunday.

The day set apart for such going to church will be Sunday, April 26, and in boosting for such a day, Ogden will simply be getting in line with such large cities as Kansas City, Mo., Kansas City, Kansas, St. Louis, Boston, Denver, Chicago, Minneapolis, St. Paul and other cities.

The campaign for instance in Minneapolis and St. Paul was so successful that the Twin Cities of half a million population were deeply stirred and moved, and in many instances the well appointed churches could not accommodate the crowds on the appointed day. Everywhere the "Go-to-Church" movement has been inaugurated, the story is practically the same. It has been necessary to hold overflow meetings in halls, in basements and to press into service laymen to address these overflow meetings. The people have responded to such a "Go-to-Church" Sunday, that empty churches have been filled to overflowing, and the worth of the church to the individual and the community was demonstrated anew.

What other cities outside of Utah have done, Ogden can do. We appeal to all citizens of every creed and color to make this "Go-to-Church" Sunday a success. We appeal to every organization in the city, to aid in this most worthy movement, to help fill our churches Sunday, and to demonstrate to other cities outside the state that Utah is always in line with progressive ideas and progressive thinking.

The Kansas City Star published the statement of one man, an advertising man, who got a different "slant" at the church because of "Go-to-Church" Sunday. He says: "Last Sunday I got a different 'slant' at the church and what it is doing. It's teaching humanity, men—teaching you and me to be better citizens, teaching you and me to be more considerate, more loving. The church is building for greater happiness for me and for you, men—and we needed a 'go-to-church' day, to drag us from our lethargy. Why should the church leader worry over you and me, men? Does it profit him to build fine buildings to make us comfortable? Ah, yes, it profits him more than it does you and me to take advantage of his efforts and accomplishments—for he's the man who lifts—and we're the men who lean; and he who lifts the burden finds life's greatest happiness in making others happier and the little world about him a better place to live in."

The verdict is practically the same concerning the testimony of men who have gone to church on "Go-to-Church Sunday." Men in other states and other cities have been benefited by going to church, and why should not the men of Ogden rally to the support of the churches in their midst? The churches of Ogden cordially invite inspection. For a man to remain on the outside, and criticize the work of the church in the community is unfair and unmanly. It is a wrong "slant" at the work which the church is aiming to do.

So laying aside all prejudice, all

wrong notions, the churches of the city urgently urge upon all citizens the observance of this "Go-to-Church" Sunday that Utah in general, and Ogden in particular, may get in line with other and progressive cities in observance of such a day.

SOCIETY

HOUSE GUEST LEAVES.
After an enjoyable visit of two weeks with Mr. and Mrs. Alfred Rutherford, 2462 Madison avenue, Mr. James M. Steven of Glasgow, Scotland, left on a business trip for Canada today.

OGNAT CLUB.
Miss Staley entertained in a delightful manner last Friday evening all members of the Ognat club at her home on Twenty-third street.

Carnations and lilies tastefully arranged decorated the dining room and parlors. Musical selections and games were enjoyed and at a late hour a most tempting luncheon was served by the hostess. The invited guests were Messrs. Staley, Rutherford, Mattson Elliot, Thackeray Quinn of Salt Lake and Steven of Glasgow, Scotland.

SENATOR CHRISMAN AND FAMILY.
Senator James Chrisman of Wyoming, with his wife and three children, are the guests of Mrs. Chrisman's mother, Mrs. N. S. Miller of 181 Thirty-third street.

Deaths and Funerals

SANDESON—Mrs. S. E. Sanderson, wife of S. Sanderson, commercial agent for the Utah Light & Railway company, died yesterday afternoon at the family residence, 659 Twenty-fourth street. Death was due to meningitis. The body was taken to the Larkin mortuary and was to be shipped to Denver, where the dead woman formerly resided, today, for interment.

KUMAKURA—The funeral of Motokichi Kumakura was held yesterday in the Larkin chapel and was conducted by the Japanese Buddhist minister. The interment was made in the City cemetery.

TELLISON—Funeral services for Hans Adolph Tellison will be held in the German Lutheran church on the corner of Jefferson avenue and Twenty-third street at 2 p. m. tomorrow. Remains will be viewed at the Kirkendall chapel tomorrow morning.

Serious Indeed!
Gabe—"I saw the doctor's auto in front of your house today." "Anything serious?" "Steve—" "Serious? Should say so. He collected his bill." —Cincinnati Enquirer.

Not Looked for Very Hard.
The reason a lot of people can't find Opportunity is because old Op usually goes around disguised as Hard Work.—Cincinnati Enquirer.

Read the Classified Ads.

BATTLESHIP LOUISIANA TO REACH MEXICO THIS WEEK

Battleship Louisiana and her commander, Captain John H. Gibbons.

The battleship Louisiana, which was a day behind the other battleships in getting away to Mexico, is now nearing Mexican waters. The ship is commanded by Captain John H. Gibbons and is the flagship of Admiral Boush of the second division of the North Atlantic squadron.