

HYDE'S DEFENSE GETS HARD BLOW

Damaging Testimony Given by Druggist, Who Says Colonel Swope's Medicine Was Harmless.

SMALL AMOUNT OF STRYCHNINE

Drug Was of Insufficient Quantity to Cause Death, He Says.

TAKES SOME OF IT INTO COURT

Theory Does Not Explain Presence of Poison in Body.

MARGARET SWOPE ON THE STAND

Young Woman Tells Story of Attack of Typhoid, the Treatment from Dr. Hyde and Convulsions that Followed.

KANSAS CITY, Mo., April 25.—There was nothing harmful about the strychnine tonic which Colonel Swope was accustomed to taking, testified H. Gentry, an Independence druggist, in the Hyde murder trial today.

"This said Mr. Gentry, is a general one for building up the system and adding red corpuscles to the blood. It contains a small amount of strychnine, but is harmless."

Hard Blow for Defense.

Besides compounding the tonic, Mr. Gentry said he sold Mr. Hunton many other kinds of medicine which went into the Swope house.

The testimony of Mr. Gentry was generally conceded to be a hard blow to the defense. By proving the colonel's habit of taking the tonic, the defense expected to explain the alleged presence of strychnine in the body.

Dr. Hyde faced the first of his alleged victims shortly before noon today, when Miss Margaret Swope took the stand.

The physician is indicted on three counts, charging him with poisoning her.

No witness that has been before the jury has interested Dr. Hyde and his wife so much as this girl. Both followed the witness closely and watched her carefully.

The testimony of Miss Swope this morning was uninteresting in the main. She had just begun to discuss her illness when court adjourned for the noon recess.

Miss Swope on Stand. Margaret Swope was slow in reaching the court room this afternoon, and as a result the trial was somewhat delayed in getting started.

Entering the court room, the girl walked near to her sister, Mrs. Hyde, and looked at her. Many thought the two would speak, as the younger girl stared longingly at her sister, but Mrs. Hyde only bit her lip and stared straight ahead.

Miss Swope said Dr. Hyde was the first physician to diagnose her illness as typhoid fever. The state attempted to show that this diagnosis differed from that made by Dr. G. T. Twyman, but the court would not permit the witness to testify as to this phase of the case.

The witness then told of the giving of the hypodermic injection to her by Dr. Hyde.

"It was almost dark in the room," she said in a low and faltering voice. "There was but one light burning dimly. My nurse was out."

"Dr. Hyde came into my room, and, coming to my bedside, said he was going to give me a hypodermic."

"He took my arm and rolled up my sleeve."

"I drew away as soon as the needle entered my arm. He gave me the injection and then left with poisoning her."

"Did he feel your pulse before he gave you the hypodermic?" was asked.

"No," she answered.

"Did he turn up the light before he gave you the hypodermic?"

"He did not."

CUBA HAILS GENERAL WOOD

Island Greets Army Officer with Marked Enthusiasm—Visit is Brief.

HAVANA, April 25.—Of greater interest to the people of Cuba than any event in the island in many months was the recent brief visit of Major General Leonard Wood.

The arrival of the former governor general was hailed with enthusiasm and it was evident his popularity had waned but little.

It was noticeable, however, that the warmth of General Wood's reception at the much more marked on the part of the higher elements of society, represented by former members of and sympathizers with the old moderate party of President Palma, than by adherents of the present dominant liberal party.

SLAYER OF RUTH WHEELER SINGS HYMNS AT TOMBS

Albert Walter Joins with Prisoners and Shows No Fear of Electric Chair.

NEW YORK, April 25.—Albert Walter, convicted of the murder of Ruth Wheeler, joined vigorously with his fellow prisoners of the Tombs today in singing hymns. No one called to see him but he was cheerful all day and ate three hearty meals. The warden said his appetite improves all the time. He is not to dread sentencing Wednesday.

German Aerial Cruiser Wrecked During High Wind

Zeppelin II is Torn from Moorings Near Limburg and Dropped Into Trees Near Weilburg.

LIMBURG-AN-DEE-LAHN, Prussia, April 25.—A Zeppelin II, one of the dirigible balloons of the German government's aerial fleet, ran away today and was destroyed.

The airship, which was forced to descend here last night, owing to a storm encountered while attempting a return trip from Homburg to Cologne, broke her moorings and with a crew drifted in a northeasterly direction. A half hour after its escape the dirigible dropped at Weilburg and was torn to pieces.

Of the aerial cruisers that made the flight from Cologne only the Zeppelin II was sent home by train.

The dirigible was sent home by train, and out bravely yesterday morning, it was forced to descend here later.

The dirigible, which was torn from its moorings at Weilburg, was sent home by train, and out bravely yesterday morning, it was forced to descend here later.

WEILBURG, April 25.—The runaway Zeppelin II descending here struck a clump of trees and parted at the middle. It lodged among the trees at the side of a cliff. The aluminum frame was demolished and most of the gas escaped from the bags. No one was injured.

LONDON, April 25.—An aerial derby from London to Manchester is in prospect for Wednesday. Both Graham White, who failed in his attempt last week, and Louis Paulhan, the French aviator, who arrived here last night, are planning to start for the \$50,000 prize that morning.

Paulhan gave official notice to the Aero club today of his intention to attempt the 136-mile flight Wednesday, weather permitting. White's machine will be completed in time to permit him to ascend at the same time with the Frenchman.

Paulhan contemplates a continuous flight, though, according to the rules of the contest, two stops are allowed. Both men will use Farman biplanes.

Misfortune continues to dog the airships of the British army. The one which was sent to permit him to ascend at the same time with the Frenchman.

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Three Women Burn to Death at Meadow, S. D.

Hotel Destroyed by Fire at Little Inland Town Saturday—Two Men Have Narrow Escapes.

MITCHELL, S. D., April 25.—(Special Telegram.)—Information was received here this morning of a bad fire which occurred Saturday afternoon at Meadow, a small inland town forty miles south of Lemmon.

A hotel caught fire at 5 o'clock in the morning and the building nearly consumed. The inmates were awakened.

Mrs. Miller, owner of the hotel, and her daughter, and another woman were burned to death. So quickly did the structure burn there was no time for them to escape.

Frank Brown of Aberdeen and Cecil Wright of this city made their escape from the second story by breaking a window and dropping to the ground. A lumber yard and the First State bank were also consumed.

Division Among Indiana Democrats

Taggart's Scheme for State-Wide Primary to Nominate Candidate for Senator Meets Opposition.

INDIANAPOLIS, April 25.—The proposition of Thomas Taggart that if the democrats of Indiana elect their legislative ticket this fall that a state-wide primary election be held to choose a candidate for United States senator did not meet today with the approval of those who desire the state convention on Wednesday and Thursday of this week to endorse a candidate for the senate.

Governor Marshall said today: "I can expect the convention to settle the question of how it should settle all other questions that come up, to suit itself and not to please me or any one else. It is up to the convention."

Robber Tips Barber with Own Money for Good Shave

What was probably the highest priced shave ever administered by a barber was that given to a highwayman by Bert De Ruse, who operates a barber shop at Fourteenth and Douglas streets. While the highwayman stood before him with a revolver thrust in the barber's face, shortly after midnight Monday morning, De Ruse collected \$8 for the shave.

The fact that the tonorial achievement in which both men had figured several days before had been an excellent one, according to Mr. De Ruse, was responsible for the payment of the \$8. The barber's account of the affair is that the bandit held him up, and, after securing his intended victim's money, had recognized him and recalled the shave.

Mr. DeRuse was returning from a late social gathering, when he suddenly was brought up short with a command and the sight of a Colt's revolver, at Seventeenth and Davenport streets. The hold-up man

HUGHES GOES TO SUPREME COURT

Governor of New York Appointed to High Bench, Succeeding Justice Brewer.

WILL TAKE EFFECT IN OCTOBER

Executive to Continue State Duties Until the Fall Term.

TAFT MADE OFFER LAST FRIDAY

Tender of Office Made by Letter and Acceptance Duly Received.

HORACE WHITE HEADS AFFAIRS

Lieutenant Governor Fills Vacancy Until November Election—Governor Leaves Second Week in October.

WASHINGTON, April 25.—Governor Charles E. Hughes of New York has accepted the appointment of justice of the supreme court of the United States to succeed the late Justice David M. Brewer.

The following statement was given out at the White House: "The president by letter of April 22 tendered the appointment to the supreme bench to succeed Justice Brewer to Governor Charles E. Hughes of New York. By letter of April 24 Governor Hughes accepted."

"In the president's letter to Governor Hughes he told him that as the supreme court would adjourn its hearings this week, the persons appointed would not be called on to discharge any judicial function until the opening of the October term on the second Monday in October and that, therefore, if Governor Hughes could accept he might continue to discharge his duties as governor until his qualification on the day of the opening of the court in October next."

Change in October. "This was a material factor in Governor Hughes' acceptance. Accordingly, if the nomination is confirmed, as there is every reason to believe, will be, Governor Hughes' qualification will not take place until October."

ALBANY, N. Y., April 25.—Governor Hughes will enter upon the duties of United States supreme court justice the second week in October next, according to announcement made at the executive chamber late today. He will remain as governor until that time.

Horace White, republican, is lieutenant governor of New York. He will succeed Governor Hughes for the time intervening between Governor Hughes' removal to Washington and the November election.

Ten-Cent Fare to Council Bluffs is Knocked Out

Judges Sanborn, Hook and Adams Hold Street Railway's Present Charge is Legal.

The Omaha & Council Bluffs Street Railway company may continue to charge 10 cents on its intercity line and does not have to grant transfers within Council Bluffs and Omaha from that line.

The Interstate Commerce commission cannot control the Omaha & Council Bluffs street railway line between Council Bluffs and Omaha is the decision announced by Judge W. A. Sanborn, who was in Omaha Monday. The decision is signed by Judges Sanborn, William C. Hook and Elmer C. Adams.

These judges hold that the Interstate Commerce commission has no jurisdiction over street railway companies because they are not held to be commercial carriers in the sense of carrying freight and passengers. The decision also says that the company may charge a 10-cent fare on its bridge line between the two cities and that it does not have to grant transfers from that line to the other lines running in the two cities.

Senate Will Look Into Third Degree

WASHINGTON, April 25.—The senate committee on Judiciary voted today to conduct a thorough examination into what is known as "third degree" methods of extracting confessions from persons charged with crime; and the committee of employing persons in the espionage of jurors.

The decision to include in the inquiry the practice of employing persons in the espionage of jurors was prompted by disclosures made during the investigation by the committee of charges against Robert T. Devlin, United States attorney for the northern district of California, whose confirmation for another term is being held up in the senate.

PRINCE OF MONCOCA AT ROME

Protest of Vatican Against His Visit to Quirinal to Take Form of Circular Note.

ROME, April 25.—Albert, Prince of Monaco, arrived here today. The king sent his own carriage to convey the prince to his hotel. Soon after his arrival the prince visited his majesty.

It is reported that the protest of the vatican against the prince of Monaco's visit to the quirinal will take the form of a circular note from Cardinal Merry Del Val, the papal secretary of state, to the royal nuncios, instructing them to notify the governments to which they are accredited that the visit of Albert to the quirinal must not be considered as creating a precedent for other Catholic rulers.



From the Cleveland Leader.

"DR. GUTHRIE" IS MARY KEYES

Woman Charged with Dynamiting Lived at Des Moines.

GRADUATE OF DRAKE COLLEGE

Formerly Sweetheart of Jesse Quirk at Prairie City, Whose Home Was Wrecked—Woman and Census Man.

(From a Staff Correspondent.) DES MOINES, Ia., April 25.—(Special Telegram.)—It has been discovered that Dr. Mary Guthrie, the woman held in jail at Newton, charged with dynamiting a residence, formerly lived in Des Moines where she was known as Bertha Keyes, and that she has been a frequent visitor to this city where she is known by that name. She is believed to have graduated from Drake college. There seems no doubt she was the cause of the destruction of the home of Jesse Quirk near Prairie City, but she still denies completely. The cause is large part, is making his vacation plans with Oakland, Cal., on July 4, as the principal stopping place. The "street" has the fight fever to an unprecedented extent and today it was roughly figured that of 1,000 reservations of berths for the Pacific coast expected to be made within the next three weeks at least, a third would be taken by men in the financial district, who plan to take the Jeffery-Johnson battle.

Many clubs are arranging for special cars to take delegations of their membership west, while larger organizations are planning to charter whole trains to take big parties to the scene of the big mill.

Mrs. Mary Anderson of this city was today held in bonds to the grand jury for obstructing the work of the census enumerators by refusing to report the names of lodgers in her hotel. She claims she had given the enumerators all the information she possessed as to her roomers.

DATE FOR ARGUMENTS IN PACIFIC MERGER CASE

Time and Place for Hearing Will Be Set by Circuit Court at May Session.

WASHINGTON, April 25.—The hearing of the arguments in the government case for the dissolution of the merger of the Southern Pacific and Union Pacific railroads will take place probably about October 1. The selection of a definite date and place will be made by the judges of the eighth circuit at St. Paul in May. Announcement to that effect was made at the Department of Justice this morning.

C. A. Severance has represented the government in the case, which is a proceeding to dissolve the merger of the Southern Pacific and Union Pacific railroads on the ground that it was a violation of the Sherman anti-trust act.

The positive announcement of the determination to fix a time for the hearing of the case apparently disposes of reports which have been revealed frequently that the government had decided to abandon the proceedings against those two railroads.

The arguments in the case will be heard at St. Paul.

YANKTON FARMER KILLED

Almer Carlson's Body Badly Mutilated by Explosive of Gasoline Engine.

YANKTON, S. D., April 25.—(Special Telegram.)—Almer Carlson, a young farmer, was instantly killed Sunday by the explosion of a gasoline engine, while pumping water for stock. Mrs. Norman Nelson, his sister, found the body of her brother terribly mutilated.

First Prize Fight Ticket For Roosevelt

It Will Be Made of Gold and Presented to Former President on Arrival at New York.

DENVER, April 25.—The first ticket for the fight between Jim Jeffries and Jack Johnson at San Francisco on July 4, will be presented to Theodore Roosevelt on his arrival in New York. This statement was made by Jack Gleason, while in Denver yesterday on his way to the coast. The ticket will be made of solid gold and appropriately engraved.

BEN LOMOND, Cal., April 25.—Little was done at Camp Jeffries today as the fighter did not indulge in either road or gymnasium work, but contented himself with an hour and a half of hard base ball practice, which he seems to enjoy thoroughly.

NEW YORK, April 25.—Wall street in large part, is making his vacation plans with Oakland, Cal., on July 4, as the principal stopping place. The "street" has the fight fever to an unprecedented extent and today it was roughly figured that of 1,000 reservations of berths for the Pacific coast expected to be made within the next three weeks at least, a third would be taken by men in the financial district, who plan to take the Jeffery-Johnson battle.

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Bushel of Gold in Collection Box

All Kinds of Gems and Valuable Relics Given for Church Debt.

NEW YORK, April 25.—With the help of an appraiser, Canon William Sheaf Chase engaged today in the interesting process of examining a bushel of gold, gems and silvers, the proceeds of a unique collection taken yesterday at Christ Protestant Episcopal church in Brooklyn.

The collection was taken to raise a fund for paying off a debt on the rectory. Users carried big baskets down the aisles and into these the congregation dropped bits of precious metal in the shape of jewelry and coins, each article being wrapped and sealed. A sale will be held later, at which those who gave up cherished pieces of jewelry will have an opportunity to bid them back again.

The silverware and gold which cannot be sold will be disposed of at the assay office and most of the smallest packages dropped into the baskets accidentally became unsealed and a \$10 gold piece fell out.

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How Big is Omaha?

What Some People Think About It

Table listing names and amounts, likely a list of donors or contributors to a fund.

ROOSEVELT GUEST OF PARIS

Former President Attends Meeting of the City Fathers.

GIVEN FLATTERING RECEPTION

Address of Welcome by President of Council is Complimentary Tribute to American's Great Public Services.

PARIS, April 25.—Mr. Roosevelt was the guest of the city of Paris today in the magnificent Hotel De Ville, or town hall, which has played so conspicuous a part in French history.

Mr. Roosevelt's visit to the Hotel De Ville was decorated with American and French flags. The former president, accompanied by American Ambassador Bacon and M. Jusserand, French ambassador at Washington, was received at the entrance with great formality by M. Caron, president of the municipal council; M. Desvignes, prefect of the Seine; M. Lamque, president of the general council of the Seine, and M. Lepine, prefect of police.

By these he was conducted to the Salles Des Deliberations, where he attended a sitting of the city fathers, after which he signed his name in the "Livre De Or" and made a tour of the building.

An immense crowd in the streets acclaimed the former president as he entered and left the building. From the Hotel De Ville, Mr. Roosevelt went to the Carnavalet museum, which contains the most interesting documents of Paris relative to the history of the city, and which was shown by George S. Caen, the curator, who is the author of a series of works on "Old Paris."

Reception is Flattering. Mr. Roosevelt's reception at the Hotel De Ville was flattering. The vestibules and grandstands had been decorated and the guests escorted to the council chamber through lines of uniformed republican guards. As he entered the chamber he was given an ovation from the floor and from the galleries, which were crowded with women.

Among the prominent persons present were Premier Briand and other members of the cabinet, a representative of President Fallieres and many members of Parliament. The speech of M. Caron, Desvignes, Lamque and Lepine were tributes to Colonel Roosevelt.

In extending the formal welcome to the city M. Caron said that Mr. Roosevelt loomed up to Paris as "what we call a man being courageous; you have mastered yourself by reflection, because though passionately loving a struggle, you love more passionately conciliation and peace, because you are a patriot, to whom your country owes great achievements, and because you represent the conviction that the law of work is the fundamental law of being, a thought you have so brilliantly developed in asserting that the man will only win if the woman willfully sterile have no right place in a healthy, robust and vigorous community."

M. Lepine declared that the demonstrations made by the French people in honor of Mr. Roosevelt showed that he had touched their hearts. "It is a mistake," he said, "to believe that Paris is skeptical and frivolous. Beneath the frivolous and the soul of the people is as full of idealism as in the most glorious days of our history. Paris respects in you the great republic to which you belong and

(Continued on Second Page.)

FROST AND SNOW DESTROY CROPS

Early Grains and Fruit Trees Suffer Harm from Freezing Weather in Many States.

HEAVY STORM IN SOUTHLAND

Georgia, Tennessee and Arkansas in Grip of Cold Wave.

HEAVY DAMAGE IN MISSOURI

Apples, Peaches, Cherries and Pears Greatly Harmed.

GREAT DAMAGE TO COTTON CROP

Heavy Frost is Reported in Parts of Kansas, Missouri and Oklahoma—Clouds Save Fruit in Some Sections.

WASHINGTON, April 25.—The last wave of frost and storm, which has been sweeping eastward, leaving destruction of crops and fruit in its wake, has not spent its efforts, the observers in the weather bureau believe. Tonight the indications are there will be heavy frosts or even freezing temperatures in the Ohio valley, the interior of the east and south Atlantic states, and it is not improbable that a light frost may be felt even in northern Florida.

"A moderate secondary disturbance" is the official designation of the weather reports. It was over the northeastern Mississippi valley early yesterday when it suddenly shifted east.

ATLANTA, Ga., April 25.—For the first time in the history of Atlanta there was an April snow today, which lasted for three hours. The fall was as heavy as any of the last winter.

With snow storms of blizzard proportions raging throughout eastern Tennessee, northern and central Alabama and the greater part of Georgia, this action today faced a great loss in early cotton, fruits and vegetables.

In Georgia, according to Commissioner of Agriculture T. G. Hudson, fully 50 per cent of the cotton crop is killed. More than 90 per cent of the crop was above ground and reports indicate that a scarcity of seed will prevent replanting of vast acreages. The fruit crop, it is stated, has suffered little damage.

Snow Covers Tennessee. CHATTANOOGA, Tenn., April 25.—Snow had fallen at 2 o'clock this morning had attained a depth of three inches at noon and was still falling.

BIRMINGHAM, Ala., April 25.—A snow and sleet storm struck north Alabama last night and this morning the thermometer in Birmingham registered 33 degrees.

NEW ORLEANS, La., April 25.—Reports received here today from many sections of Louisiana and Mississippi indicate that thousands of acres of cotton have been severely damaged by the cold of last night and the night before. In many instances replanting will be necessary.

NASHVILLE, Tenn., April 25.—Snow fell here this morning to a depth of one and three-quarters inches, the first fall of snow in April since 1856.

MONTGOMERY, Ala., April 25.—"The only hope for the Alabama cotton crop above ground is rain tonight. If it should remain clear, the crop will be killed," said the statement of J. A. Wilkinson, commissioner of agriculture, today.

Frost Further North. KANSAS CITY, Mo., April 25.—A snowstorm, remarkable for the season of the year, prevailed this morning all over Missouri, northeastern Arkansas, eastern Kansas, Tennessee and as far south as Montgomery, Ala. The snow melted almost as fast as it fell, but at times the fall was heavy.

In Oklahoma, western and southern Kansas and the greater part of Texas the weather was clear.

Temperatures ranging from 2 to 3 degrees below freezing to 3 degrees above freezing were reported from all points in Kansas, Missouri and northern Oklahoma. Frost was reported from points as far south as northern Louisiana. A freezing temperature prevailed at Memphis and killing frosts were reported from western Kansas points. At Enid, Okla., a temperature of 10 degrees was reported.

Reports from central Missouri today indicate that the fruit crop has been seriously damaged.

The general opinion among Kansas City fruit growers is that the fruit crop in eastern Kansas and western Missouri is not been seriously injured. The low temperatures have been accompanied by clouds in this section and this condition probably has saved the fruit.

Snowfalls in the eastern country. Nebraska weather was clear, but freezing temperatures were reported from all parts of the state.

COLUMBIA, O., April 25.—State Inspector of Nurseries Shav said today that the reports of the damage to fruit throughout Ohio are exaggerated. There has been some damage to cherries and other early fruit, he said. Potatoes that were up were cut down and all tomato plants were killed by the cold. The soil, however, is still in fine condition for plowing and it is not too late for reseed.

In Kansas, Missouri and Kentucky snow is expected to protect small fruits and lessen the loss on apples.

Mississippi, Tennessee and Arkansas reports show considerable damage, but by clouds in this section and this condition probably has saved the fruit.

Information from Wisconsin and Michigan indicates that the fruit crop will not be much more than half usual size.

Heavy Snow in Missouri. ST. LOUIS, Mo., April 25.—Heavy snowstorms and high winds, with a temperature several degrees below freezing, are reported throughout Missouri and southwestern Illinois tonight.

A report from Lebanon, Mo., in the heart of the apple district, states that farmers