

## CONTEST CASE NEARING THE END.

Up to Noon Today All But Three Districts Had Been Re-counted.

### CUTTING DOWN DEAN'S LEAD.

Reduced From Nine to Seven During The Morning—Will Finish This Afternoon.

Up to noon today all but three districts in the second precinct had been recounted by Judge Lewis in the Dean-Burbridge election contest with the result that Dean has a lead of seven votes over Burbridge. The count of the ballots in Districts 16 and 19 made this morning resulted in Burbridge reducing Dean's lead from 9 to 7 votes. In District 16, Wood lost one vote, Dean lost three and the others remained the same. In District 19, Burbridge

Spices generally are half or three-quarters something else. Schilling's Best are pure and full strength. Your grocer's; moneyback.

lost one. Burbridge lost one and Brodie and Hanson gained one each. The districts yet to be counted are Nos. 21, 22, and 24. They will be completed this afternoon.

**YESTERDAY AFTERNOON.**  
After the "News" report closed yesterday afternoon a recount of the ballots in districts 20, 22, 23, 24 and 12 were made. All of the districts contested by Dean have been counted and also one contested by Burbridge, the twelfth. The result thus far is that Dean now has a lead over Burbridge of nine votes. In district 12, contested by Burbridge, he lost two votes. In district 20 Dean lost three. Burbridge lost 5, Badger lost 6 and Wood lost 3. In district 23, Burbridge lost two, Badger lost one, and Wood lost one. In district 24, Wood gained one, Dean lost two, Burbridge lost two, and Badger lost one. In district 12 Wood lost 2, Burbridge lost two, and Badger lost six.

**HOW THE VOTE STANDS.**  
Following is a table showing the result of the recount made thus far by the court:

District.	Wood.	Dean.	Burbridge.	Badger.
Twelfth	203 201	207 207	157 155	156 150
Thirteenth	195 191	196 191	172 169	166 163
Fourteenth	39 36	50 47	307 304	277 274
Fifteenth	148 146	109 107	2 82	69 13
Sixteenth	54 55	67 67	134 134	192 191
Seventeenth	151 148	157 155	188 185	176 172
Eighteenth	180 182	180 179	118 118	121 122
Nineteenth	170 167	164 161	103 98	109 102
Twentieth	194 193	110 110	168 166	158 157
Twenty-first	158 159	1 159	167 2	205 203
Totals	118 2	118	38	118

## BIG OIL EXPERT COMING TO UTAH

Special Agent of Cnffey and Galey Will be Here by the End Of the Week.

### WILL BEGIN WORK AT ONCE.

Mr. Wilson's Achievements and What He Intends to Do in Utah in The Near Future.

Mr. Robert E. C. Wilson, who has worked so earnestly for the past few months to bring capital to the Salt Lake valley oil fields, is today congratulating himself on the near approach of active operations by the Guffy-Galey syndicate. A letter received this morning from these big oil magnates states that Mr. Hambough, the most capable expert driller of the great operators is on his way to Salt Lake and will reach here the latter part of the present week. Mr. Hambough will at once take charge of the boring plant and promptly commence erecting a derrick, with the intention of drilling for oil early in January. No man has worked harder or to better effect in bringing the two big operators to Utah than has Mr. Wilson. It was he who first laid the matter before Messrs. Guffy & Galey after his visit to Utah last spring, and through his acquaintance with them got them interested in the field and started by deal which afterwards was closed by Mr. Shepley, when that gentleman visited Pittsburg. "When the leases and other forms of titles were in a chaotic state. Mr. Wilson's long experience in such matters aided in a great measure in straightening things out and making it possible for Guffy and Galey to take hold of the scheme. Mr. Shepley is high in his praise of Mr. Wilson's work and states that it was one of the main factors in bringing about the present satisfactory status of affairs.

Mr. Wilson has been offered the management of the Guffy-Galey interests in Utah but has not yet decided whether he will accept or promote other schemes which will bring capital into the local field. He is now in communication with several big operators in California, where he has a large acquaintance and may bring them to Utah to operate on the shores and in the valley of the Great Salt Lake.

When the story of the local oil fields is at last told his work will take on mean place. He has decided to make Utah his home and will bend all his energies to the end of making it a great oil producing state.

### Worth of Thought.

As a gift, colored shirts. We show many handsome items. BROWN, TERRY & WOODRUFF CO., 166 Main St.

Remember the Piano sale at Daynes-Romney Piano Co., 40 Richards St.

### A LIVELY RUNAWAY.

Spirited Horse Causes Excitement on East Temple Street.

A horse attached to a buggy belonging to Moyer, the saloon keeper, ran away this morning from Third West street near North Temple street, and did not stop until he collided with a team at the Godbe-Pitts drug corner. The collision relieved the runaway of half his rig, and with the remainder he ran down East Temple street to the Progress building, where a second collision brought him up standing. It was some time before the owner showed up to claim his property.

### D. H. PEERY ESTATE OF OGDEN

A copy of the articles of incorporation of the "D. H. Peery Estate" of Ogden, was filed in the secretary of state's office today. The capital stock of the organization is \$200,000, divided into shares of the par value of \$100 each. The object of the corporation is to conduct the business of the estate of D. H. Peery, deceased. Elizabeth L. Peery is president; J. H. Peery, secretary and treasurer.

## ARTHUR BROWN IS TURNED DOWN.

Judge Morse Overrules the Plea to The Jurisdiction of the Court.

### COUNTY ATTORNEY TESTIFIES.

Geo. Westervelt Affirms That He Approved Issuance of the Warrant as Provided by Law.

Judge Morse this morning overruled Senator Arthur Brown's plea to the jurisdiction of the court in the case wherein the senator is charged with adultery, and gave the defendant until Jan. 11 to enter his plea to the information and also to file a bill of exceptions on appeal from the ruling of the court this morning. Before presenting his plea to the jurisdiction, Senator Brown served and filed a bill of exceptions on appeal from the former ruling of Judge Morse when he overruled defendant's motion to quash the information. So that an appeal to the supreme court will be taken on that point at once.

Senator Brown's plea to the jurisdiction of the court is based upon 17 different grounds, among them being the failure of the committing magistrate to examine the complaining witness or any other person as to their knowledge of the crime charged before issuing the warrant; the action of County Attorney Westervelt in issuing the warrant instead of the committing magistrate, and in issuing it before the complaint was signed by Judge Diehl. Former jeopardy is also pleaded, and it is claimed by defendant that the procedure in the lower court was contrary to the fifth amendment of the Constitution of the United States, which provides that "no man shall be subject to any criminal case without due process of law," and that it was also contrary to the fourteenth amendment to the Constitution which provides that no law shall be passed "depriving a person of life, liberty or property without due process of law."

When the plea was presented County Attorney Westervelt moved to strike the plea from the file on the ground that the code of criminal procedure of this state provides for no such plea as a plea to the jurisdiction of the court. The motion was overruled by the court, and testimony was then introduced by Senator Brown to support the allegations in his plea. Judge Diehl, Deputy Clerk of the city court W. L. Emery and J. M. J. were examined by defendant to show that the law had not been strictly complied with in issuing the complaint. District Attorney Westervelt to the stand, and the latter testified that he approved the issuance of the warrant of arrest provided by law. Judge Morse stated that every step prescribed by law in regard to the issuance of the warrant had been complied with, not only in the spirit, but also in the letter of the law. He then overruled the plea to the jurisdiction and gave defendant until Jan. 11 to plead to the information and to file his bill of exceptions.

### In Favor of Elmer E. Darling.

Judge Hall this morning rendered a decree in favor of defendants in the case of Elbert S. Roos against Elmer E. Darling et al, quieting defendants' title to the eighth and a half feet of ground lot 2, block 28, Plat G, Salt Lake City survey. Plaintiff sought to recover the property and also damages for being deprived of its use. It was shown to the court that defendants had been in the quiet and peaceable possession of the property in dispute for 25 years past. Hence the court held that by reason of the statute of limitations, plaintiff was barred from recovering the property.

### TWENTY PER CENT.

That is What Defendant Alleges in Suit Brought by Salt Lake Institutions.

The case of the Western Loan and Savings company against A. Maginness was tried and submitted before Judge Hall yesterday afternoon. The action was brought to foreclose a mortgage given to secure the payment of a promissory note for \$5,000. It was contended by Atty. James D. Farley, for defendant, that plaintiff was attempting to collect interest at the rate of 20 per cent per annum instead of 7 per cent as agreed in the note. It was also contended that defendant had kept up the interest at the latter rate and that the suit was wrongfully brought at this time. The court refused to pay the additional 13 per cent interest.

**TO CURE A COLD IN ONE DAY**  
Take Laxative Bromo Quinine Tablets. Druggists refund money if it fails to cure. E. W. Grove's signature on box. 25c.

## Upon the Brink of a New Year

Prepare to  
TURN OVER  
A NEW LEAF

Say with vigor and vim,  
you won't pay any more  
rent after 1903. Get a home  
through

**..REAVIS..**  
HOMEBUILDER

78 W. SECOND SOUTH.  
At the Sign:  
"Whose Root is Over Your Head?"

## WHAT'S A CHRISTMAS DINNER IF YOU DON'T USE

### THREE CROWN



**BAKING POWDER**  
It Yields Perfect Results and Makes Food Delicious and Healthful.

**Hewlett Bros. Co.**

## PRESIDENT COMES TO GEN. WOOD'S AID.

Washington, Dec. 22.—To some of the senators who have particularly interested themselves in the pending Wood nomination with an eye especially to the protection of some of the veteran army officers, the president has expressed himself very plainly to the effect that these officers have nothing to fear in the immediate future. As it was pointed out to him that there was considerable apprehension among the friends of these army officers lest upon the retirement of Gen. Chaffee with the rank of lieutenant-general, the president might appoint Maj.-Gen. Leonard Wood to be lieutenant-general, involving the jumping of a number of distinguished general officers who never would have a chance to attain the highest rank by reason of Gen. Wood's incumbency in the place for 15 years the president has explicitly declared that he has no such intention. Incidentally that involved an undertaking on his part to promote some of these general officers referred to after Gen. Chaffee's retirement. But he did not state when he made such pronouncements as he saw fit he would not close the list by appointing Gen. Leonard Wood to be lieutenant-general.

## UTAH SETTLERS GAIN THEIR CASE.

Washington, Dec. 21.—The United States supreme court decided two cases involving the question as to whether within the Central Pacific railroad land grant in Utah constitutes a valid title by virtue of the statute of limitation. The cases were those of the Toltec Ranch company vs. George Cook and others, and the Toltec Ranch company vs. William Babcock and Louisa Babcock. The ranch company claimed title under a transfer from the railroad company, but both positions in both cases was disputed on the plea of possession for 30 or 39 years. The supreme court of the State of Utah decided in favor of the settlers and the supreme court of the United States today affirmed that decision. The opinion was handed down by Justice McKenna.

### LAW MAKERS HOME.

Senator Smoot and Congressman Howell Back From Washington.

Senator Smoot, Congressman Howell and Lewis T. Cannon, the latter's private secretary, arrived from Washington today to spend the holidays. Senator Smoot stopped off at his home town, Provo, while Congressman Howell will go on to Logan this evening. All are in the best of spirits and report the outlook all that could be desired.

### Holiday Exhibits.

Our neckwear shows new weaves and patterns from famous makers. BROWN, TERRY & WOODRUFF CO., 166 Main Street.

### LATE LOCALS.

Today's local bank clearings amounted to \$602,247.75, as against \$702,229.10 for the same day last year.

The Salvation Army has set Christmas trees at the more prominent street corners, with a long red stocking attached, and the charitably inclined are invited to load up the stockings for the benefit of the city poor, particularly the children, that they may have an enjoyable Christmas.

The final collections for the liquidation of the debt on the Granite stake trademark are being made, and it is understood that the final settlement will be made next Saturday. The

**A VERY NICE XMAS GIFT**

Is a Bissell Sweeper. It will be appreciated very highly by your wife, because it will save her lots of hard work. No better reason could be given why you should buy her one. We have a full supply.

**H. DINWOODEY FURNITURE CO.**

**MISCELLANEOUS.**  
Amalgamated Copper ..... 47 1/2  
American Clay & Pottery ..... 13 1/2  
American Locomotive ..... 13 1/2  
American Smelting & Refining ..... 49 1/2  
Am. Smelting & Refining Pfd ..... 26 1/2  
Brooklyn Rapid Transit ..... 21 1/2  
Colorado Fuel & Iron ..... 20 1/2  
International Paper ..... 10 1/2  
National Biscuit ..... 20 1/2  
Northern Securities ..... 10 1/2  
People's Gas Co. .... 9 1/2  
Pressed Steel Car ..... 20 1/2  
Standard Oil ..... 12 1/2  
Sugar ..... 12 1/2  
Tennessee Coal & Iron ..... 21 1/2  
United States Steel ..... 19 1/2  
United States Steel Pfd ..... 54 1/2  
Western Union ..... 10 1/2

## NEW YORK CLOSING STOCKS

Tuesday, Dec. 22, 1903.	
Atchafalpa	67 1/2
Baltimore & Ohio	73 1/2
Canadian Pacific	110 1/2
Chicago & Alton	32 1/2
Chicago & North Western	104 1/2
Colorado Southern	11 1/2
Denver & Rio Grande	21 1/2
Denver & Rio Grande Pfd	71 1/2
Erie	20 1/2
Illinois Central	137 1/2
Louisville & Nashville	104 1/2
Manhattan	142 1/2
Metropolitan St. Ry	122 1/2
Mexican Central	84 1/2
Missouri Pacific	95 1/2
New York Central	113 1/2
Pennsylvania	117 1/2
Reading	61 1/2
Rock Island	23 1/2
Rock Island Pfd	54 1/2
St. Paul	142 1/2
Southern Railway	42 1/2
Union Pacific	75 1/2
Union Pacific Pfd	82 1/2
Wisconsin Central	104 1/2

**DIED.**  
PETERSON.—At Scipio, Millard county, Utah, Dec. 20, 1903, from paralysis, Anna Sophia Gardstedt, beloved wife of Isaac Peterson, and the mother of Hugo and Gustaf Peterson of Salt Lake City. Deceased was born in Klinte, Gotland, Sweden, Jan. 2, 1826, and consequently would soon have reached her seventy-eighth birthday. She joined the Church of Jesus Christ of Latter-day Saints in an early day, emigrated to Utah with her husband in the year 1862, and died a faithful Latter-day Saint. She leaves a sorrowful husband, children, grandchildren and great-grandchildren. Obituary and Provo papers, also Nordstjernan, please copy.

# 3 DAYS XMAS SHOPPING ONLY.

## A Chance That Has Never Been Offered During Holiday Sale, Including Saturday.

# \$5.00 WORTH

## Green Trading Stamps With Every \$1.00 PURCHASE

Besides clearing sale prices on all Dolls, Books, Games, Toys, Handkerchiefs, Mufflers, Gloves, Jewelry, Gents' Neckwear, Underwear, Hats, Sweaters, Boys' Hats, Caps, Waists and Pants; Ladies' Waists, Skirts, Wrappers, Hosiery, Underwear, Dress Goods, Silks, Corsets, Blankets, and Comforters, also Fine Shoes and Slippers. **FILL YOUR STAMP BOOK NOW!**

New stock of Xmas Chinaware for coupons. 50 doz. fancy fine China Cups and Saucers, sold at about half price.

**OPEN EVENINGS.**

# NEW YORK CASH STORE,

WM. BARTLING, Proprietor.