

GROSS OUTRAGE ON CHINAMEN.

A Tonopah Mob Invades Chinatown
And at Point of Guns Orders the
Chinese to Leave Town.

THEY ALSO ROBBED THEM.

Citizens of Place Hold Mass Meeting
And Pass Resolutions Denouncing
Violators of the Law.

Tonopah, Nev., Sept. 17.—A mob of 12 or 15 men invaded Chinatown at this place yesterday afternoon and at the point of guns compelled the occupants of a number of houses to dress and ordered them to leave town at once. A number of Chinamen not complying at once were struck over the head and body and dragged from their habitations and forced to accompany the mob to the outskirts of the town, and told to take the road to Sodalville. Later on all the Chinese but one returned to town and notified the officers. The Chinese stated that Ping Ling, an old man 75 years of age, and the proprietor of a wash house, was one of the victims and they believed that he had perished on the road. Searching parties were sent out this morning and they found his body, horribly mutilated, a short distance from the road three miles west of town.

The Chinamen were also robbed of several hundred dollars in cash, being sent out of town. Eighteen men, mostly cooks and waiters, have been arrested and are now in jail. Among the number is F. M. Arandall, president of a labor union.

A meeting of the citizens of Tonopah was held today, at which 1,000 or more were present, and a committee was appointed to adopt resolutions denouncing the action of the mob. The following was adopted as the sentiment of the 5,000 residents of the district:

"Resolved, That the citizens of Tonopah view with horror and denounce in unmeasured terms the outrages and brutal acts which, according to all the present evidence have been committed, that the citizens of Tonopah regard this act as not alone an atrocious violation of the law, but also a heinous crime against inoffensive people, and against society and civilization; that the people of Tonopah will support the officers of the law in all possible ways in their efforts to bring the criminals to justice."

WILL BE INVESTIGATED.

Carson, Nev., Sept. 17.—In the absence of Gov. Sparks, who is attending the irrigation congress at Ogden, Lieut. Gov. Allen has sent a telegram to Acting Secy. of State Adams, to the effect that the governor's office had no official knowledge, but that the matter would be investigated according to law.

MATTER IN WASHINGTON.

Washington, Sept. 17.—The Chinese minister called at the state department and laid before Acting Secy. Ade a dispatch which he had received from the Chinese consul-general at San Francisco, detailing an attack made last night on a number of Chinese at Tonopah, Nev. The consul reported that the labor unions at that place drove all the Chinese away, and that several of them were seriously wounded, one an old man being killed. He reports that five Chinese are missing, and asked for protection.

Acting Secy. Ade wired the governor of Nevada, asking for an immediate investigation and requesting that he afford every protection in his power to the Chinese residents of Tonopah.

WHOLESALE MASSACRE.

Entire Population of Kastoria Said to Have Been Murdered.

Sofia, Bulgaria, Sept. 17.—The foreign office here has received information that the Turks have destroyed the town of Kastoria, 30 miles south of Monastir, and have massacred the population. The report of the massacre comes from two sources, admitting of little doubt, though the details are lacking. It was received with the gravest concern by the officials here.

The population of Kastoria numbers about 15,000 persons, and the massacre of such a number in one place, if the report be true, exceeds anything which has yet occurred in Macedonia. At the present critical moment, when popular feeling is intense, the effect of the report of such a heinous slaughter may be most serious.

MINERS' CONVENTION.

Will Meet at Florence, Colo., September 23.

Florence, Colo., Sept. 17.—The district convention of the United Mine Workers of America of Colorado, Utah, Wyoming and New Mexico, which had been called to meet here next October, was today advanced one month and will meet in Pueblo next week of this city. The change was made on account of the desire of a large number of members to have a general strike called for the establishment of an eight-hour day and some other reforms in the operation of coal mines. It is the general opinion that a strike will be ordered to take effect Oct. 1. There are about 100,000 coal miners in the district, a majority of whom are said to belong to the United Mine Workers.

ANTI TAMMANY DEMOCRATS.

They Indorse Mayor Low for Renomination.

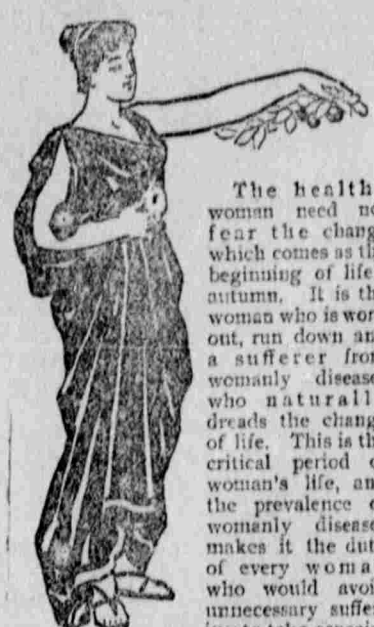
New York, Sept. 17.—A number of prominent independent Democrats, including S. Stanwood Menken, Charles S. Fairchild, Wheeler H. Peckham and Everett P. Wheeler, today forwarded to Mayor Low a letter in which they endorse him for renomination on the fusion ticket, declaring that his administration has been such that all who supported him two years ago should be willing to do so this year, and urging him to accept a renomination. The letter, among other things, says:

"Democrats, who joined with other citizens, irrespective of party, to make you mayor of this city one year prior to an important state election can with equal confidence vote to retain you in that office in a year immediately preceding a presidential election. No sane man can now believe that future Democratic successes in the state and in the nation will be made more certain by taking over the finances of this city or the body of men at present in control of Tammany Hall."

STORM IN AUSTRIAN ALPS.

Famous Waterfall of Bad Gastein Becomes a Raging Torrent.

New York, Sept. 18.—A disaster in the shape of a storm has fallen on this place, says the Herald dispatch from Bad Gastein, a famous Alpine watering place in Austria. Snow fell on top of accumulated snow and then came heavy rain, and on both sides of the valley from the great ranges of moun-



The healthy woman need not fear the change which comes at the beginning of life's autumn. It is the woman who is worn out, run down and a sufferer from womanly diseases who naturally dreads the change of life. This is the critical period of woman's life, and the prevalence of womanly diseases makes it the duty of every woman who would avoid unnecessary suffering to take special care of herself at this time.

The pills which vex so many women at the change of life are entirely avoided by the use of Dr. Pierce's Favorite Prescription. It makes weak women strong, and enables the weakest to pass through this trying change with the tranquility of perfect health.

"I have been a very healthy woman, and this time has been very hard with me," writes Maggie Morris, of Munson Station, Clearfield Co., Pa., Box 16. "I am one of the time of change of life, and have been sick a great deal of late. When Mrs. Hemm's moved beside me I was sick in bed, and when she came to see me and we were talking over our troubles, Mrs. Hemm told me to try Dr. Pierce's Favorite Prescription and 'Golden Medical Discovery,' also 'Pellita.' I got her to bring me a bottle of each from the drug store and I used them. They did me a great deal of good, and I never saw such a wonderful cure. Before I commenced your remedies I was doing nothing, and now I feel as if I can do all my work myself and feel well."

Dr. Pierce's Pleasant Pellets are easy and pleasant to take.

For miles came spurting forth turbulent currents. The water from these rushed into the Aachena, a small but rapidly flowing river, which runs through the center of the valley and the mountain stream became a whirling mass of turbid water, rushing at such a rate that wherever it took a sharp turn the danger threatened the banks.

Through the center of Bad Gastein became a thundering mass of furious water, roaring down its rocky bed, causing all the houses in the neighborhood to vibrate from its force.

The climax came at 11 o'clock Thursday evening. About that hour the main street of the usually quiet town, where people go to bed early, resounded with the ominous sound of long, loud bugle calls, recognized in the neighborhood as the call of alarm and the signal that assistance was badly needed.

The citizens hurriedly dressed and made for the street. The waterfall had increased to mighty proportions. These and great masses of water came thundering down. Earlier in the evening the electric lights all over the town had gone out and the upper bridge on the main road to the Hockstein had fallen. A little later the one below the big waterfall gave way.

The electric works which supplied the Imperial hotel were completely wrecked. The dynamo was washed into the bed of the torrent. All communication with the nearest station here Lend Gastein has been cut off owing to the fall of the bridge and the few visitors remaining here are temporarily imprisoned.

Steel Works Burned.

San Francisco, Sept. 17.—Fire today destroyed the steel works of Francis Smith & Co., located on Townsend street, center of the city, and costing \$50,000. Several adjoining structures were saved by the heroic work of the firemen. The cause of the conflagration is not known.

Elizabeth Saunders, Actress, Dying.

San Francisco, Sept. 18.—Mrs. Elizabeth Saunders, the old actress so well known to theater goers of decades gone by, is passing quietly away at her home in this city, her death being only a matter of a few days, according to the statement of the attending physician.

Mrs. Saunders first appeared before the public 50 years ago. Her name off the stage was Anderson and she is a cousin of Joseph Jefferson and of William Warren, the character actor. Her rendition of old women's parts was considered without a peer.

Oil Company Sold Itself.

New York, Sept. 18.—Officials of a Bayonne, N. J., oil company, are charged over the discovery that they sold for \$1,500 a vessel full of oil and naphtha worth \$40,000. The steamer Maria took fire at the Bayonne plant two months ago and was towed out to the bay to burn. It was thought that its cargo had been consumed in the blaze in which the lives of two men were lost. The Bayonne concern offered the ship for sale and when the buyers had docked the supposed wreck a few hours later it was found the valuable cargo had escaped destruction.

Plague Stricken Patients.

New York, Sept. 18.—The newspaper Corrie Mannhu asserts that there are 71 plague stricken patients in the Jurubaba hospital in this city, cables the Rio Janeiro, Brazil, correspondent of the Herald.

The Tribune also publishes an article calling the attention of the authorities to the development of bubonic plague.

Women Will Paint Their Houses.

New York, Sept. 18.—The women of Westchester, N. Y., have defied the painters and decorators' union and have formed a league to paint their own houses. They had difficulty with the unions over the matter of wages and, as a result, have begun a co-operation scheme whereby the town is rapidly acquiring a new coat of colors without the aid of the men.

Japanese in Honolulu.

Honolulu, Sept. 18.—Edward Rosenberg, travel agent of the American Federation of Labor for the Philippines, China and Japan, who has been investigating conditions in Hawaii, makes the announcement that 95 per cent of the Japanese coming here are illegally assisted immigrants. Hundreds are arriving monthly. He says he will so report to the federation which will probably take steps to stop them.

THISTLES AND DANDRUFF.

An Interesting Parallel and a Valuable Deduction Therefrom.

Cutting down thistles no more relieves the land of thistles than does scouring the scalp cure dandruff. In each case permanent relief can only come from eradicating permanently the cause. A germ that plows up the scalp in searching for the hair root where it saps the vitality, causes dandruff, falling hair, and baldness. If you kill that germ, you'll have no dandruff but a luxuriant suit of hair. Newbro's Herpicide is the only hair preparation in the world that cures dandruff and falling hair by killing the germ. "Destroy the cause you remove the effect." Sold by leading druggists. Send 10c. in stamps for sample to The Herpicide Co., Detroit, Mich. For sale by Z. C. M. I. Drug Dept.

FATEFUL DAY IS DRAWING NEAPER.

Supreme Court Denies the Petition
Of Peter Mortensen for a
Rehearing.

THE OPINION IS UNANIMOUS.

Apparently Only a Question of a Short
Time Before He Must Answer
For His Crime.

The supreme court has denied Peter Mortensen's petition for a re-hearing of his case in that court. So it will only be a question of a short time before Mortensen will have to pay the death penalty for the murder of James R. Hay, one of the foulest and most cold-blooded crimes ever committed in this state. The petition for a rehearing was filed with the court on Sept. 17, one week ago today, so it will be seen that the court gave it very prompt consideration. The remittitur in the case will be sent down to the district court in the next two days and then Judge Morse will set a date when Mortensen shall be brought into court and again sentenced to death and the date of his execution fixed.

It is very probable that Attorneys Stewart & Stewart, who represent Mortensen, will file a motion in the district court for a new trial on the ground of newly discovered evidence, which motion, it is believed, will be denied by Judge Morse. In that event it is believed that the court will then refuse to sign a writ of probable cause of appeal to the supreme court, which will tend to prevent a second appeal to that court and which will, therefore, interfere with the execution of Mortensen on the date set. It is believed that the only move which could now save Mortensen would be an application to the board of pardons for a commutation of the sentence. That action would only delay the execution, as the three justices of the supreme court and the attorney general of the state, all of whom have already signed the case, constitute a majority of the board and there could be no permanent relief obtained from that source.

The petition for a rehearing was based principally on the error of the court below in denying defendant's attorneys to introduce oral testimony as to the alleged misconduct of the jury, at the hearing of the motion for a new trial. The supreme court holds that no error was committed by Judge Morse in denying defendant's attorneys that opportunity. Justice McCarthy submits a dissenting opinion on the petition for a rehearing. The names of Chief Justice Baskin and Justice Bartch are not attached to the opinion, but the decision of the court is unanimous, nevertheless. It is not the custom of the court to hand down written opinions on petitions for a rehearing, but in this particular instance Justice McCarthy deemed it advisable to have such an opinion attached to the files in the case. The opinion handed down by Justice McCarthy follows:

A petition for a rehearing has been filed in this case on the ground that upon which the motion is based is that the court below overruled a motion to permit the defendant to introduce oral testimony in support of an allegation in the indictment of the defendant, to wit: that the jury while viewing the premises of the defendant and those where the body of the deceased was found, the record shows that at the conclusion of the reading of the affidavits filed by defendant in support of the motion, and counter affidavits filed by the state, the court ruled that the affidavits in support of the motion were insufficient to authorize the court to permit the introduction of oral testimony in support of it, whereupon counsel for defendant stated orally, to the court that Royal L. Young, one of the attorneys in charge of the jury, while viewing the aforesaid premises, pointed out to the jury where certain blood stains were found, and that the same officer, while asserting the fact that the body of the deceased was discovered, and talked about other matters that had been brought out in evidence on the trial of the case.

Counsel for the defendant further stated to the court that the officer, Royal L. Young, who was present in court at the time, refused to make affidavit as to what he knew respecting the conduct of the jurors on that occasion.

Counsel, in concluding his remarks, said as follows: "That is what I desire to prove, and desire to take an exception to the ruling of the court." "The Court—The court has not ruled yet. Do you desire an objection, Mr. Eichner? (Addressing the attorney for the state.)

"Mr. Eichner—The state objects to it because it is not in proper form, and there is nothing in the original motion of that kind."

"The Court—The court will take an adjournment to permit you to get an affidavit of Mr. Young. I take it if Mr. Young, as an officer of this court, has any facts he will make an affidavit. The statute provides these matters must be by affidavit. We will take a recess until 2 o'clock."

"Mr. Eichner—I understand Mr. Young refuses to make an affidavit, and there is no power to compel him to make an affidavit."

"The Court—The court will take a recess until 2 o'clock. In the meantime you may apply to Mr. Young to make an affidavit, and if he does not then make an affidavit the court will then decide the question."

"Mr. Eichner—The court does not order Mr. Young to make an affidavit."

"The Court—No, the court has made no order."

"Mr. Eichner—If Mr. Young refuses to make an affidavit he has that right, Mr. B. J. Stewart—If the court please we have asked Mr. Young to make an affidavit."

"The Court—The court has made a ruling on this matter and has adjourned until 2 o'clock. You may apply to Mr. Young to make an affidavit, and if he refuses, at that time you may apply to the court for further order."

"Recess is taken at 2 p. m."

The record shows that at 2 o'clock p. m. the matter was again taken up and the following occurred:

"The Court—Anything further to offer?"

"Mr. B. J. Stewart—Nothing further to offer."

"The Court—No authorities to present?"

"Mr. B. J. Stewart—No authorities."

"The Court—The motion of the defendant will be denied."

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warranted that later on counsel came into court and announced that they had nothing further to offer, and the court denied the motion to introduce oral testimony, as originally made.

What effort, if any, counsel for defendant made during the time of adjournment to get an affidavit from Mr. Young does not appear. For aught there is in the record they may have seen Mr. Young and on further inquiry and investigation decided that they did not want his affidavit. Under these circumstances that court did not err in overruling the motion.

After a lengthy and somewhat vigorous discussion of this question in the motion for rehearing, counsel for defendant said:

"We respectfully submit, with all due deference to this court, that the defendant is entitled to a new trial, on the grounds of misconduct on the part of the jury."

It is not necessary for this court to determine in this case under what circumstances, if any, a court will be authorized to permit the introduction of oral testimony in support of a motion for a new trial, as it is plain that the court in this case did not err in its ruling on this point.

I therefore join with my brethren in overruling the motion for a rehearing.

Suit On a Check.

J. J. Daynes was made defendant yesterday afternoon in a suit filed in

the district court by Joseph Delap to recover \$125.25 alleged to be due on a check drawn in favor of H. I. Child and endorsed by him in favor of plaintiff. It is alleged that the check was drawn on the State Bank of Utah on May 25, 1903, for the sum of \$125, and that it was presented for payment by plaintiff on May 25, but it was protested by the bank at a cost of \$3.25 to plaintiff. It is alleged that defendant ordered the bank not to pay the check.

Two Suits for Divorce.

Two divorce cases were filed in the district court yesterday afternoon. Joseph Watson seeks a divorce from Elizabeth Watson on the ground of infidelity. It is alleged in the complaint that defendant is at the present time and has been for some time past, living in open adultery with a man in Pueblo, Colo., whose name is unknown. Plaintiff and defendant were married at Mantua, Alabama, on Oct. 27, 1897.

Mabelle McCulloch charges failure to support as the ground for divorce in her complaint against Harry G. McCulloch. They were married at Aspen, Colo., on Dec. 24, 1896, and have one child of whom plaintiff asks the custody. She also asks that her maiden name, Mabelle Hirst, be restored to her.

Curtis Gets Six Months.

Jeffries, Curtis, the negro, who recently entered pleas of not guilty to the charges of burglary and attempt to commit grand larceny, was allowed to withdraw those pleas yesterday afternoon by Judge Morse and entered a plea of guilty to the charge of attempt to commit grand larceny. He waived time for sentence and Judge Morse sentenced him to six months in the state prison. Curtis, some time ago broke into J. L. Kahr's barber shop on State and Second South streets and attempted to drill the safe and secure some jewelry and cash contained in the same.

Paraguan Legation to Remain.

New York, Sept. 18.—The chamber of deputies recently abolished the legation at Asuncion, Paraguay, at the request of the government, says a Herald dispatch from Asuncion, Paraguay. The chamber has now reconsidered the resolution and the legation will remain.

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Hosiery and Underwear. Ladies' long Sleeve Undervest from12 1/2c up Children's Union Suits at23c Child's Undervests at5c and 10c Men's Undervest from20c up Boys' Fleece lined underwear at25c and 35c	Tin and Graniteware. We have one of the largest lines in town and at prices never sold here before. Granite Tea or Coffee Pots23c Granite Tea Kettles48c No. 8 Blue and White Enamelled Tea Kettles, worth \$1.25, for69c White Enamelled Bowls5c Granite Rice Boilers39c Granite Dish Pans33c 3 Tin Cups for5c Tin Pie Pans33c Granite Pie Pans5c	Glassware, Etc. FOR BARGAINS IN GLASSWARE, ETC., COME AND SEE US. Nice Table Tumblers3c Sugar Bowls and Butter Dishes, worth 20c for10c
Outing Flannels. Good Outing Flannel at5c Shaker Flannel at5c up Bed Ticking5c up Good Black Sateen7c Turkey Red Table Damasks15c Table Covers with Red Border45c Turkey Red Table Covers45c Crash for Toweling45c up	Ladies' and Children's Hose. We have an immense line of Hosiery at about half the price you pay elsewhere. Children's Ribbed Hose5c, 8c, 10c, 12 1/2c, 15c up HEAVY RIBBED DOUBLE KNEE HOSE ONLY15c LADIES' FLEECE-LINED HOSE10c Ladies' Wool Hose12 1/2c and up Children's Wool Hose12 1/2c and up DON'T FAIL TO SEE OUR HOSIERY BARGAINS.	Ladies' Skirts and Wrappers. IF YOU WANT A BARGAIN IN SKIRTS COME AND SEE US. Ladies' Skirts from98c up Ladies' Flannellette Waists48c ALSO A NICE LINE OF LADIES' CAPES AND JACKETS.
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