DESERET EVENING NEWS FRIDAY JUNE 7 1907



Train Leaving This Evening Will **Carry One Hundred From** Salt Lake.

BUSINESS MEN ARE GOING.

Opportunities for Trade Being Opened Up Causing Utah Jobbers to Sit Up and Take Notice.

Possibilities for trade development with the eastern Nevada mining region, of which Ely is the center, is interesting Salt Lake people in the excursion which leaves for that progressive town this evening. Ely now has a population of 5,009 people, and it is claimed that one year from today will see not less than 20,000 people comfortably housed

as residents of that city. Messrs, A. G. Corbett and H. M. Fulmer, who have the supervision of tonight's excursion, have been in Salt Lake for several days working up an interest in the "get acquainted" trlp. and have been so successful that at least five Pullman coaches will leave Sait Lake containing excursionists for Ely, while four more will be picked up

Ely, while four more will be picked up at Ogden.
 Many Utah people are already intersected in the bustling little town. S. W. Eccles, formerly traffic manager for the Oregon Short Line in this dity, is president of the Nevada Northern rall-road, which extends from Ely northward to the Southern Pacific at Cobre, passing the proposed function of the Western Pacific railroad at Bevs.
 The excursion will heave this city by special train at 8 o'clock this evening, from the Oregon Short Line depot. The function of the Western Pacific railroad at Bevs.
 The excursion will heave this city by special train at 8 o'clock this evening, from the Oregon Short Line depot. The function of the excursionists have borrow morning. The guests will be nated in just 12 hours, arriving there at 8 o'clock to hour mobiles, and various planes for enertainment of the excursionists have bortunify to see what a real live Nevada mining town can do in the way on the least shadow of a doubt that or the least shadow of a doubt that one to be over \$30 for the try.
 The train will get many times his not the least shadow of a doubt that there is by Sunday night at 12 o'clock, arriving functions planes.
 The train will be made up, as far is nown, with the following Pullman for the day's busines.
 The train will be made up, as far is nown, with the following Pullman for the day's busines.
 The train will be made up, as far is nown, with the following Pullman for the day's busines a dining and bagsage ener, picking up the Pullman car Bessemer at order the values will be roaded if the densities while hor many times hill be roaded if the densities a dining and bagsage ener, picking up the Pullman car Bessemer at outlook will necessitate the addition is not lock will necessitate the addition is not be readen by as far is non the pressite at the point and the point and the point and the point and the point anot be pulled and and bagsage.

is well as from Ogden. THOSE WHO ARE GOING.

THOSE WHO ARE GOING. The list of passengers from Salt Lake booked up to 1:30 today was as follows: Messre, Reese, Fagan, Beniz, Maddox, Hamel, Mrs, J. E. Nelson, George Mor-gon, Spratt, Byrne, H. J. Blumenthal, Hale, Lee Barr, Mrs, Nessell, Harper, I. Meyer, Valentine, G. S. Lindsay, Mrs, Watkins, Van Dyke Brothers, Hock, Hoffman, Mrs, L. D. Gray, C. G. Mon-roe, P. H. Cannon, D. Redeman, Thos, Judd, Wm, Deutsch, E. J. Radditz, H. G. Snyder, Mrs, H. B. Nielson, Edgar Reaves, J. B. Simpson, W. W. Arm-strong, M. Settler, C. A. Quigley, R. R. Ives, H. L. Fullmer and J. F. Paulson and A. G. Corbett. The party will be accompanied to Ely by H. G. Toll, general freight and pas-senger agent of the Nevada Northern railroad, and by J. B. Moseley, traveling passenger agent of the Southern Paci-fic. At least 100 people will make the trip from this city, and perhaps as



success.

To Two Witnesses in the Schmitz as Vegas, the point of connection be Trial, Toupy and Adler,

Las Vegas, the point of connection be-tween the Sait Lake Route and the Las Vegas & Toropah, that the merchants of Las Vegas are becoming exceedingly weary with the high freight rates maßi-talued on various commodities, and that freights have been even raised on some classes of goods. Now comes the the Borax road and cut rates on meats from Las Vegas to Greenwater, and ac-cording to the Las Vegas Age, the situ-ation will be much worse when the Borax road reached Beatty and Rhyo-lite, unless a change of front is made by the management of the L. V. & T. Carload rates on hams and bacon have been raised, it is said, 64 cents per 109 pounds by the Clark people, and these meat prices, of course, have been folisted on to the long suffering consumers, which serves to raise the iro of the peo-ple and wish the alleged combine gainst the Clark people all kinds of success. Testified. BUT HE RENDERED SERVICES.

RUEF NEVER

MADE THREATS

Knew Him as a Lawyer and as the Only Man Who Could Help-Them-He Did.

San Francisco, June f.-Jean Toupy for eight years proprietor of the Pup restaurant, now engaged in the saloo business, was the first witness called by the prosecution at the resumption of the Schmitz trial this morning. The

Pup was, before the fire, Abe Ruef's political headquarters. There every vening after 9 o'clock the political boss of San Francisco was accustomed to receive his lieurenants, confer with them, receive reports and issue orders. Toupy, examined by Asst. Dist. Atty Honey, told of the regularity with

which Ruet and Mayor Schmitz frewhich Rulet and Mayor schmitz fre-quented this restaurant after dark. RuleT always had his dinner there, and afterward heid private court in one of the small during rooms on the second floor. After his appointment to the police commission, Dr. Joseph E. Fo-beim was often a caller at the Pup to see RuleT and the mayor.

DELMONICO'S LICENSE.

New York Central to Get Control of Delaware & Hudson.

INSTALS NEW OFFICIALS.

General Agent Martin of the Rock

Island & Frisco Lines in Salt Lake,

Island & Frisco Lines in Salt Lake. G. W. Martin, general agent for the Rock Island and Frisco lines at Den-ver, arrived in Salt Lake yesterday af-ternoon, accompanied by J. F. Harvey, traveling agent of the same lines and Col. Stevens of the Central Savannah. Mr. Martin is here for the purpose of imaugurating the change in the local offices of the Rock Island & Frisco, in-stalling J. E. Doolittle as general agent in the freight and passenger traffic de-partments and J. F. Harvey and Harry Youngermate as traveling freight and passenger agents.

WILL GO TO VANDERBILT.

New York, June 7, -The Tribune to-day says that according to information received by it, the Delaware & Hudson company will soon pass to the control of the New York Central, it is understood in well informed quarters the Tribune says, that the negotiations have al-ready becau.

ready begun, Should control of the Delaware & Hudson pass to the New York Central, the latter road will become one of the leading factors in the authracite coal The Delaware & Hudson owns 148 miles of road, holds under lease 632 miles and operates a total of 842 miles and has an authorized capital stock of \$57,000,000.

DELMONICO'S LICENSE. On the evening of the day Delmoni-co's liquing theory was revoked, the witness called Ruef on the telephone and male an appointment for 11 o'clock the next day. "The next day," said Toupy. 'T called on Ruef and asked him what was the matter, why was Delmonico's heense taken away? I suppose my turn will be mext. Can't you help us? Can't would be your suppose my turn will be mext. Can't you help us? Can't would be your attorney, and how much would be your fee?" "Mr. Ruef said: "Welt, if you want me to take your case as a lawyer, if will cost you \$7,000 a year on a con-tract for two years. And the money must he in currency—no checks go." "I went to the other restaurant feepers and fold them, at a meeting at the Bay stat." They said the price yook up. 'I know Mr. Ruef, he said, 'I will go and see him and fix this up.' DOUBLE TRACKING OF U. P.

RUEF WOULD ACT.

Improvements in Construction Line Exceed Anything Before Attempted.

Double track construction on the Union Pacific has been undertaken this year on a scale exceeding anything attempted before in the west. To the 175 miles of double track in opera-tion between Omaha and Green River, Wyo., will be added nearly 200 miles of second track now under construc-tion. tion. The vast undertaking known as the Detween South Omaha

RUGF WOULD ACT. "A day or two later we had another meeting at Marchand's of the proprie-tors of the New Poodle Dog, Del-menico's, Marchand's of the proprie-tors of the New Poodle Dog, Del-menico's, Marchand's of the proprie-tors of the New Poodle Dog, Del-menico's, Marchand's of the proprie-tors of the New Poodle Dog, Del-menico's, Marchand's of the propried that he had been to see Mr. Ruer and that Mr. Ruef would take our cases and protect our licenses for \$5,000 a year. We all five agreed to pay this, and contributed our shares. Pierre Priet took charge of the money and deliv-ered it to Mr. Ruef." "Take the witness," said Mr. Heney. Cross-examination by Mr. Campbell of the defense brought from Loupy the emphatic statement that. Ruef had never come to the restaurant men and offered his services or asked to be employed but on the contrary he was solicited by himself in behalf of the restaurauteurs; that Ruef said he would rather not take the case, but H they wanted him his fee would be \$7.000 a year. "Now, there," said Mr. Campbell, "did Mr. Ruef ever, upon any occa-sion, threaten that If he was not em-ployed and the money was not paid to him, you would lose your license?" "No, never," replied Toupy. "Did you ever report to anyone that Ruef had so threatened?" "I never did. No threat was made at al." "That's all," amounced Mr. Camp-bel triumpiantly. "A the time you had this dealing Lane Cut-off between South Omaha and Lane, Neb., although only 11 miles in length, is the most heroic feature of the Union Pacific improvefeature of the Union Pacific improve-ment program now under way. This line necessitates 3,000,000 cubic yards of roadbed excavation, and calls for fills of from 300,000 to 1,400,000 cubic yards. The cuts are of equally huge proportions. The largest is a mile long with an extreme dopth of 87 feet. Two-thirds of the grading is finished, and the whole undertaking will be completed this year. The cut-off saves no sign niles over the old main line by way of South Omaha and Glimore. From Lane to Valley double track-ing was completed late last year.

From Lane to Valley double track-ing was completed late last year. This fall will see the completion of another big stretch of double track nearly 50 miles in length, from Valley to Benton. The next big stretches of double track are between Silver Creek and Lockwood, a distance of 38 miles, Alda to Buda, Neb., 29 miles, and Rawlins to Wamsuler, Wyo., 41 miles. By the end of 1907 the Union Pacific will have a continuous double

Adler turned to the jury box. "For protection." he said distinctly. Adler said he never got a receipt for the \$1.175 given by him to Malfanti to pay Ruer.

pay Ruet.
"You never got a receipt from any-body?" queried Judge Dunne,
"No, sir."
Adler said that immediately after the payment of the money Police Cou-missioner Hutton was removed by in-mayor, and his license was granued. A year later, in January, 1996, Malfami rame around to collect the second in-stallment of the \$10,000 and the wit-ness refused to pay it.
"Why?" demanded Heney, and over the objection of the defense. Adler answered;

the objection of the defense, Adler answered; "Because then I was out of debt and I wasn't afraid any more," "Take the efficiency, "Tou refused to make the second payment. But your locine wasn't re-voked, was if? You got it recrewed-iust the same as the one before, when you paid?" asked Campbell. "That is true," confrased Adler, "And Rust never uttered to you a threat that you would lose you license unless you emeployed him?" "He beyer did." Atty. Macrua Resenthal was called by the state. He testified that hus client, Al Adler, sought his adverse reh-tive to the bolding up of the lay State's license in the fail of 1304. He appeared with Adler hefore the polic commission but the commissioners.

sources treats in the fall or 1001. He appeared with Adler before the police commission but the commissioners would not been in the commissioners would not been in the commissioners would not been in the speak. "After this meeting," he said, "I told Mr. Adler it was useless for him to appeal to the couris because there could be no review by any act of the police com-mission under our law which I consid-er more Russian than American. I told him that in view of the way things had been going on for the tast several years there was only one man who could help him in his extreme need,— his business was threatened with ruli-ation—and that man was Abe Rusef. I told him I would withdraw from the case because I didn't want, him co waste his money on a fee to me when I could't do him any good." Cross-examination of Mr. Rosenthal adduced no new facts. Cross-examination of adduced no new facts.

ALEX MACKENZIE DEAD.

Toronto, Out., June 7.-Alexander Mackenzie, owner of the Kirkfield sta-ble and one of the best known racing men upon the northern clarifi, died suddenly yesterday of appendicities.

GLASS DOLL WINS.

London, June 7.—At Epsom today the Oaks stakes of 5,000 sovereigns (\$25,-000) for three-year-old filles, distance pool one mile and a half, were won by Mr. Joel's Glass Doll. La Omedia was second and Lady Hasty was third. Fourteen horses started.

State St. Hardware for lawn mow-ers, hose and poultry netting 252 State.

NOTICE TO OPTOMETRISTS.

The state board of examinets in or ometry will hold Monday, June 10, 1907, at 10 a. m. at 230 Atlas Block. H. O. JENSEN, President,

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"Outlines of Ecclesiastical History,"
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\$1.50, \$2.50; "New Witness for God,"
\$1.50, \$2.50; "Succession in the Presidency," 30c, 50c, 75c; "Hise and Fall of Nauvoo," \$1.25, \$2.25; "Missourl Persecutions," \$1.25, \$2.25; "Mormon Doctrine of Delty," \$1.00, \$1.26 and \$1.75.
Deseret News Book Store, Salt Lake City, Uath.



NOTICE TO CREDITORS.-ESTATE of William G. Odell, Deceased. Creditors will present claims with vouchers to the undersigned at 115 East Eleventh South Street, Sait Lake City, Utak. on or he-fore the 19th day of Ootober, A. D. 1997, HARRY ODELLS, Executor of the Estate of William G. Odell, Deceased, Date of first publication June 7, A. D. 1967.

Harry S. Harper, Attorney,

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RATES IN NEVADA.

Reports of Railroad War Being Precipitated in Mining Camps.

Although reports of a railroad war between the Brock and Borax Smith roads against the Salt Lake Route have between the Brock and Borax Smith roads against the Sait Lake Route have been stremuously denied in certain quarters, the development of facts in the matter would seen to indicate that there is "somethin" doin"." The situa-tion is this: The Brock road, known as the Builfrog & Goldfield, runs into Rhyolite, the center of railroad opera-tions in the western Nevada mining re-gian, from the north connecting at Reno-with the Southern Pacific. The Borax Stuith road, which is being rapidly built into Rhyolite, connects with the Saita Fe on the south and will soon offer , a complete circuit i for east and west travel via transcontine-tal routes for passengers and freight independent of the Clark road, which now reacher Rhyolite, and is being built into Goldfield. Rumor was to be entered into between the Brock and Borax roads to "horn-swoggle" the Sain Pedro out of the business of the mining camps by cutting rates on freight and passenger transportation, but these rumors were vigorously denied by officials of all three roads. But word now comes from

"At the time you had this dealing with Ruef, you were in his debt for \$1,000, weren't you?" asked Heney in re-direct examination. "Yos," said Toupy, "Borrowed Pacific will have a continuous double track in operation from Council Bluffs to Watson's ranch near Kearney, a stretch of 194 miles. stretch of 194 miles. When all these improvements are completed together with others un-der way west of Ogden, it is believed that with their Omaha and Chicago connections the Union and Southern Pacific can still further reduce the time from occan to occan by pos-sibly 12 hours, or as much as this route has already reduced the run-ning time from Pacific to Atlantic in the last eight years.

the last eight years,

Get your five "senses" to=

gether, then all aboard for

the grocer's for

the ginger snap

that has broken

all records.

NATIONAL BISCUIT COMPANY

"Weren't you in fear that you would lose your license if you didn't pay this money to Ruef?" demanded Heney, The defense objected vigorously on the ground that the question was lead-for

"Further," argued Mr. Campbell, "the question does not go to the issue. The indictment charges this defendant with extortion and threat. The witness has testified there was no threat. Now what might have been in the witness' mind is surely not relevant."

HIGHWAYMAN'S SMILE.

HIGHWAYMAN'S SMILLS. "Oh, yes, it is, though," cried Heney. "The highway robber may smile polite-ly and ask the passengers to kindly hand their money out of the stage-but the threat is there just the same. The New York supreme court has held that a threat need not be spoken; it may be converged by even the wink of an eye." Toupy announced: "We knew Ruef as a lawyer and the only man who could help us." "If Ruef hal not been a lawyer, whom would you have hired?"

"If that har hot been a dawyer, "Some other lawyer, I suppose," "Well, did you pay this money to Ruef because he was a lawyer or be-cause he was the political boss?" Heney demanded. "Because he was the boss," replied

Because he was the boss," replied Toupy

"That's all," said Heney, "But Ruef never asked to be em-loyed and never made a threat," said

ployed and never made a threat, said Campbell.
"No," replied Toupy,
"That's all," said Campbell.
H. M. Adler, proprietor of the Bay State restaurant, was called by the prosecution. He said the only thing he knew about the relations between Ruef, the mayor and the police commission was that Ruef was boss.
The witness' own attorney was, and for years had been Marcus Rosenthal.
To him Adler went for advice and Rosenthal, was that Ruef was bose.
The witness' own attorney was, and for years had been Marcus Rosenthal.
To him Adler went for advice and Rosenthal, went to the board of police commissioners to ask a renewal of the Bay State's license, but the board would not hear him. "The only man who can help you," sail Rosenthal, "is Ruef."
"Did Rosenthal tell you," asked Hensey, "that what you needed was a doctor not a lawyer"."
Mr. Campbell denounced this question as a flagrant attempt to lead the wite the set of the set of the set.

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"I don't recollect that he said that," replied Adler. The witness said that because Eucf had an influence with the police board, the restauteers looked upon him as the one man who could help them. They thought that if they did not employ him their licenses would be taken away. The defense made determined objec-tions to the question by the prosecu-tion: "Were you not in debt at this time?" ADLER "FINANCIALLY SICK."

Hency, supporting the question, con-tended that Adler was "financially sick" at the time, and, fearing the ruin-ation of his business by removal of his license, was too weak to resist the ex-tortion, Judge Dunne sustained the ob-tortion

Why did you pay this money?" asked Heney. "For protection," was the almost in-

audible reply, and that answer to the



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