

MRS. McCUNE SAYS SHE WAS NOT WED.

Defendant in Her Answer in Divorce Suit Denies She Is Married.

SAYS HE IS NOT HER SPOUSE.

Accordingly John McCune Will Have A Hard Time Getting a Decree.

According to the answer filed in the district court yesterday afternoon by Mary A. McCune to the divorce proceedings instituted against her by John McCune, the latter will have a hard time securing a divorce, for, if the allegations of the answer are true, plaintiff and defendant never were married at all. The complaint alleges that they were married in this city on Jan. 25, 1904, and that defendant deserted her husband on Dec. 5, 1898, and that plaintiff went to her home in Europe on May 24, 1903, for the purpose of reuniting her to return to him but she ordered him from the house and would not listen to his pleadings.

Mrs. McCune, in her answer, denies the allegations of the complaint in the following language:

"Defendant denies that at any time or place she ever intermarried with plaintiff at all. Defendant denies the allegations in regard to the desertion and plaintiff's appeal to her to return to live with him.

"Defendant confesses judgment of this court for dissolution of whatever marriage she might have at any time existed between the parties hereto. Provided, however, that the court tax no costs against the defendant, and that the judgment include nothing beyond a legal separation of plaintiff and defendant.

"That the case is one of unusual complications is very evident from the pleadings filed and its outcome will be interesting to note.

\$3,000 FIRE.

Tons of Hay and Acres of Grass on Cannon Farm Burned.

There was a disastrous fire at Snyder's yesterday forenoon, when a haystack containing 250 tons of hay and 100 acres of meadow on the Cannon Bros. ranch were burned. The fire was caused, it is claimed by sparks from a Rio Grande freight locomotive, the fire beginning on the right of way, and extending into the Cannon property. The loss is placed at \$3,000, with no insurance.

THE NEW SUBWAY IN NEW YORK ON A MAP.

The Lehigh Valley Railroad has just issued a map of New York City, which shows all streets and elevated railroad lines, including the new Subway, and gives complete information in reference to locations of hotels, theaters, etc.

Copy of this map will be mailed free upon request to Chas. H. Lee, General Passenger Agent, 145 Liberty Street, New York.

ERICKSON AHEAD.

Official Count This Afternoon Gives Him One Vote Over Livingston.

According to the official count this afternoon, Erickson has one vote over Livingston for judge in the Seventh judicial district. Erickson's majority in Sanpete county is 392, in Grand County 120, total, 512. Livingston's majority in San Juan county is 28, in Emery county 33, and in Carbon county 350, total, 411.

COLLEGE WOMEN.

University Society Makes Fair Initiates Do Queer Stunts in Public.

Today is the center of initiation week with the College Women's society of the University of Utah. The fair initiates are being put through all kinds of ridiculous performances, calculated to test their powers of endurance in humiliation. The tasks began Monday when their hair was braided into dozens of little braids and each tied with ribbon of a different color. They were forced to attend classes this way all day. Yesterday they were made to pretend an attack of mumps and wear bandages about their throats and heads and in addition to carry one arm in a sling. Today the most horrible thing of all occurred, for the pretty ladies were made to come forth to the day's work looking like painted flutes, their faces daubed with black streaks till they could hardly be recognized. Tonight something "exclusive and private" will be done to them, in which the students at large will have no part. Friday night the final stunts occur, from which they will emerge full blown members of the society.

The sweet girl initiates are Margaret Savage, Alice McDonald, Edna Barker, Virginia Bush and Rose Thomas.

SALT PALACE MORTGAGE.

Frederick Heath Files Trust Deed With Local Banking Firm.

The release of a trust deed was filed Monday with the county clerk from Francis B. Lawrence to Frederick Heath and wife for \$7,500, the trust deed having been executed Dec. 31, 1897, and covering the Salt Palace grounds. And today a trust deed has been filed from Frederick Heath to the Utah Savings & Trust company to secure payment on a promissory note for \$10,000, and covering the entire Salt Palace property.

AFTERNOON ON 'CHANGE.

Mertha Washington—750 at 1, 1,000 at 1 1/2.
New York—1,000 at 2 1/2; 1,000 at 2 1/2; 500 at 2 1/2; 1,000 at 2 1/2; 1,000 at 2 1/2; 500 at 2 1/2.
Cotton—500 at 14.
Car. Mercu—100 at 45.
Lower Mammoth—125 at 15; 200 at 16.
May Day—500 at 2 1/2; 500 at 2 1/2; 500 at 2 1/2.
Victor Con.—300 at 2 1/2; 2,000 at 7; 1,000 at 6 1/2.

LATE LOCALS.

State Auditor C. S. Tingey returned last evening from a short business trip to Idaho.
Today's local bank closings amounted to \$1,001,874.86, as against \$159,067.40 for the same day last year.

Scrofula

Is commonly inherited. Pale, weak, puny children are afflicted with it in nine cases out of ten.

And yet it may develop so slowly as to cause little, if any, disturbance during the whole period of childhood.

It may then produce dyspepsia, catarrh and marked tendency to consumption before manifesting itself in much cutaneous eruption or glandular swelling.

Common indications of it are: bunches in the neck, abscesses, cutaneous eruptions, inflamed eyelids, sore ears, rickets, wasting and general debility.

Many medicines are said to eradicate scrofula but

Hood's Sarsaparilla and Pills

Do eradicate it, positively and absolutely. This statement is based on thousands of permanent cures.

Accept no substitute.

ONE SUSPECT IS ARRESTED.

A telephone message from Murray at 3 o'clock was received by the "News" to the effect that an Austrian had been arrested on suspicion of being the man wanted for the Schwan assault. The man was placed in the Murray jail.

RUSSIANS BLOW UP THE RASTOROPNY.

(Continued from page 1.)

nition and coal at Port Arthur to last a year.

CARRIED SEALED ORDERS.

Chefoo, Nov. 16, 11.30 p. m.—The correspondent of the Associated Press learned authoritatively tonight that the Russians carried sealed orders, providing that, unless there came a highly favorable opportunity to escape, the vessel should be blown up.

Sufficient powder for this purpose was secreted before the destroyer left Port Arthur.

Small charges of ordinary powder, placed in each of the five water-tight compartments, were exploded.

Customs Officer Koenig was on board the destroyer, and the Russians experienced considerable difficulty in getting him off without arousing his suspicion. The destroyer's cutter, manned by two men, was lying near, and the official was persuaded to take a ride around the Rastoropny in order that he might see the injuries she was alleged to have received.

No sooner had the customs officer stepped into the cutter than a petty officer drew his watch and urged the rowers to make all speed away.

When the destroyer had gone down the official was taken on shore.

The Japanese command says that the Russians wasted their vessel, as the Rastoropny incident would not have been repeated.

Distinctive Ready-For-Service OVERCOAT

Every edict that the master designer is sponsor for is honored by the models in our splendid line.

The new Box Coat in medium and extra length.

The durable Tourist with and without belt on back.

The nobby double-breasted Box with broad lapels.

The small Paddocks and Sur-tout.

SUITS AND OVERCOATS \$10 TO \$40.



TOO LATE FOR CLASSIFICATION.

GROCERIES.

5 LB. GOOD RICE 25¢ 6 LB. BEST Navy Beans 25¢ 1 Gallon Pine Syrup 45¢ 10 Buckets Lard 25¢ Good Apples per bushel 15¢ Salt Pork per lb. 9¢ 20 Cream Cheese 15¢ Good Butter 25¢ High Patent Flour per 100 lbs. \$2.75 Straight Grade, \$2.50 1 gallon Cans Apples, Peaches, Grapes, per can 20¢ CHICAGO STORE, 61 South West Temple.

American, \$2.50 to \$4.00.
Hotel.
The Kenyon
European, \$1.00 to \$3.00.

SNYDER GETS HIS JEWELRY.

Jury Awards Partner in Firm of Lyon & Co. His Share in Business.

THE STOCK HAD BEEN SOLD.

Verdict in Favor of Plaintiff for \$26,868.68, the Assessed Value of The Property.

The jury in the case of John F. Snyder against A. E. Lyon, which has been on trial in Judge Moore's court for several days past, this morning returned a verdict in favor of plaintiff for the recovery of the stock of jewelry involved in the litigation or its value, assessed at \$26,868.68, together with \$104.68 interest. Plaintiff was a member of the firm of Lyon & Co., and when Mr. Lyon sold the stock to another firm suit was filed to recover the same.

JUDGMENT REVERSED.

Supreme Court Delivers an Opinion in Case of Dennis A. Smyth vs. Reed.

The judgment of the lower court in that case of Dennis A. Smyth, appellant, vs. Charles H. Reed et ux, was reversed by the supreme court in an opinion rendered by Chief Justice Baslin yesterday afternoon, and concurred in by Justices Bartholomew and McCarthy, and the case was remanded with instructions to Judge Rolapp, of the Second district court, who heard the case, to enter a decree quieting plaintiff's title to the property involved, which is located in Ogden.

The facts in the case as set forth in the opinion of the supreme court show that defendants and Christopher Fitzgerald were owners of the real property involved, and in July, 1893, they conveyed to Fitzgerald their half of the property by warranty deed, and at the same time entered into an agreement whereby the property was to be reconveyed to them upon the payment to Fitzgerald, on or before Feb. 15, 1895, the sum of \$1,134.55. The defendants failed to pay said money at the stipulated time, so Fitzgerald took absolute possession of all of the property, and in July, 1892, sold it to Louis N. Berrin, who later sold it to the plaintiff in this action.

Suit was then filed against defendants to quiet title to the property, and when the case was tried, Judge Rolapp held that the agreement entered into between defendants and Fitzgerald constituted a mortgage, and that plaintiff's action was barred by the statute of limitations. From that judgment plaintiff appealed. The opinion of the supreme court, in speaking of the nature of the agreement entered into between defendants and Fitzgerald, says:

"The controlling question is whether the parties intended the deed and the contemporaneous agreement to operate as a conditional sale or merely as a security for a debt. The absolute conveyance of the undivided interest of Reed in the said real estate and the contemporaneous agreement read together show that a conditional sale and not a mortgage was intended."

The decree of the lower court is reversed, and the case remanded to the district court with directions to the court below to enter a decree quieting title to the premises in dispute.

LAID TO REST.

Funeral Services Over the Remains of The Late Morris Sommer.

The remains of the late Morris Sommer were this afternoon laid to rest in the Hebrew cemetery, this city. Preceding the interment funeral services were held at the family residence at 109 G street. They were in charge of the fraternal order of which Mr. Sommer was a member. The Scottish Rite Masons attended in a body, and went through their beautiful ritual service for the dead. Floral tributes in abundance testified of the love and esteem in which Mr. Sommer was held by his associates.

DIED.

ARKINS.—At Bellevue, Blaine Co., Ida., Nov. 15, 1904, John W. Arkins, a month-old daughter of Fred and Lillie Berry Arkins.

NOTICE.

The South Columbus Mining Company, principal place of business Salt Lake City, Utah, Notice is hereby given that, at a meeting of the Directors held on the 14th day of November, A. D. 1904, an assessment of one cent (1¢) per share was levied on the capital stock of the corporation, payable on Thursday, Nov. 24th, A. D. 1904, to Arthur E. Snow, Secretary, at room 37 Commercial Block, Salt Lake City, Utah.

Any stock upon which this assessment may remain unpaid on Monday, the 19th day of December, 1904, will be delinquent and advertised for sale at public auction, and unless payment is made before, will be sold on Monday, Jan. 9th, A. D. 1905, at 10 o'clock a. m., to pay the delinquent assessment together with the cost of advertising and the expenses of sale.

ARTHUR E. SNOW, Secretary.

The South Columbus Mining Company, Office room 37 Commercial Block, Salt Lake City, Utah.

DELINQUENT NOTICE.

ELLA HILL GOLD MINING COMPANY, principal place of business, room 20, 210 Deseret News Building, Salt Lake City, Utah, Notice. There are delinquent on the following described stock on account of assessment No. 3 of five mills per share, levied September 28th, 1904, payable forthwith and delinquent after November 15th, the several amounts set opposite the names of the respective shareholders as follows:

No.	Name.	No.	Shares.	Amount.
1	Mrs. E. A. Dwight	1,000	5.00	
2	John W. Merrill	5,000	25.00	
3	Mrs. R. W. Merrill	5,000	25.00	
4	John W. Merrill	5,000	25.00	
5	Mrs. E. A. Dwight	1,000	5.00	
6	J. P. Merrill	5,000	25.00	
7	J. P. Merrill	5,000	25.00	
8	Mrs. E. A. Dwight	400	2.00	
9	Mrs. R. W. Miller	2,100	10.50	
10	John W. Merrill	5,000	25.00	
11	John W. Merrill	1,075	5.38	
12	T. J. Osborne	2,500	12.50	
13	T. J. Osborne	2,500	12.50	
14	H. A. Smith	1,250	6.25	
15	John W. Burton	1,250	6.25	
16	A. W. Gallacher	1,250	6.25	

And in accordance with law and an order of the Board of Directors made on the 25th day of September, 1904, so many shares of each parcel of stock as may be necessary will be sold at the Secretary's office, No. 210 Deseret News Building, Salt Lake City, Utah, on Friday, the second day of December, at 10 o'clock a. m., to pay the delinquent assessment together with the costs of advertising and expenses of sale.

L. A. CLAYTON, Secretary.
Office No. 210 Deseret News Building, Salt Lake City, Utah.

TEA

Nothing like moneyback
Nothing like moneyback
Nothing like moneyback
Nothing like moneyback

Your money returns your money if you don't like it.

AGGIE-U. OF U. GAME.

Visitors Will be Met at Train by Faculty and Entertained.

The following program was decided upon for Saturday's game at a mass assembly of University of Utah students this morning.

Special street cars will meet the Logan visitors at the train and convey them to the college grounds, where they will become the guests of the faculty and board of regents.

At 12:30 lunch will be served to the visitors by their hosts, and special committees will then show them about the grounds until 2:30, when the game begins.

At eight o'clock p. m. a ball will be held under the auspices of the third year normal class, at which the faculty, the students and the team of the Agricultural college will be the special guests of the evening.

The mass assembly was called for the purpose of perfecting arrangements for Saturday. It was addressed by President John C. Brown, the student body, who called it to order; Professor Byron Cummings, and Manager George Riser. A striking incident of the meeting was a rebuke administered by President Brown to a number of underclassmen who were talking noisily in one corner of the room while Professor Cummings was speaking. He interrupted the speaker to call the students to order, and request that in the future they refrain from such conduct.

This is the first instance in which a student body officer has taken discipline into his own hands in governing underclassmen conduct.

President Brown announced that the ladies of the Christian Endeavor had offered to make pennants for the game at a nominal cost. He then urged the men to conduct themselves worthily at the game, and to refrain from any action that would tend to open hostilities between the two schools, or to revive old bitterness.

George Riser, with explanations as to arrangements for Saturday. He said that the University students would occupy the west bleachers, and that on account of the general misunderstanding as to the whereabouts of Cummings field, he desired to explain that it was the University oval, and was named in honor of Professor Cummings, because of his long and faithful service in the interest of University athletics.

His announcement that the Agricultural college would bring a band with them brought a proposition from the assembly to duplicate the feature.

It was promptly acted upon, and the college women moved the hat through the assembly, and in a few moments had enough money to secure the coveted music.

A man was sent at once to the city to make a purchase of some bandmaster for Saturday afternoon.

The meeting concluded with a song and yell practice. The singing was led by Miss Harker of the college women, and the yelling by Fairchild Sherman, the regular yell leader.

The decision of the students and faculty to treat the Logan visitors as their guests and extend them every courtesy during their visit, is important, coming as it does after the bitter feeling of last year, when an effigy of Coach Holmes was burned amid a show of hostilities. It is thought that the winning side will be given free use of the field for its celebration, and that in the evening again the two crowds will meet on terms of friendliness and hospitality.

A Guaranteed Cure For Piles.

Itching, Blind, Bleeding or Protruding Piles. Your druggist will refund money if Pazo Ointment fails to cure you in six to fourteen days. 60c.

GRILLED HOB.

Tramp Who Got Too Close to the Fire Is Now in Jail.

Sam Johnson, a "gentleman" temporarily out of employment, was taken into custody on Monday night by Deputy Sheriff Cowan and Butler and is now in the county jail charged with vagrancy.

Always Remember the Full Name
Laxative Bromo Quinine
Cures a Cold in One Day, Grip in 2 Days
E. H. Grove on every box 25c

SPECIAL ANNOUNCEMENT FOR THURSDAY AND FRIDAY.

Unparalleled Sacrifice of All \$5.00 and \$6.00 High Class

RED FERN CORSETS!

60 Pairs to be Closed Out at each—

\$1.00

No need to praise the high quality of this celebrated make of corsets. Nothing but the very highest grade materials used in their construction throughout. Finest imported coutils, satens, etc., and genuine whalebone filling. Wide satin ribbon and lace trimming, come in short, medium and long, all very desirable styles, but we are closing out this entire line, don't intend to carry them any longer, that accounts for this sacrifice price. Come early.

rancy. Johnson, who says that he was going to Park City to work, built up a nice warm fire south of the city Monday night and laid down to sleep. He got a little too close to the blaze, however, and severely burned his back and right hand. Some of the residents in that vicinity saw him trying to dress his wounds and notified the sheriff's office. The two deputies took him to the jail and he was given proper medical attention and it is probable that he will spend some time in a cell on the charge of vagrancy and his wounds will have plenty of time to heal.

TODAY'S REALTY TRANSFERS.

C. D. Roberts and wife to Henry W. Schuetler, 34 feet by 2 rods in the southeast corner of lot 5, block 13, plat 1, subject to a right of way along east and south sides, \$1000
John Verley and wife to Raphael Cutler, 34 feet by 2 rods in the southeast corner of lot 5, block 13, Perkins first addition to Grand View, subdivision of lots 5, 6 and east half of lot 7, and part of lot 8, block 13, \$1000
Hyrum S. Young and wife to Caroline Thompson, lot 30, block 2, Woodman's subdivision of block 1, plat 1, \$1000
Lewis S. Hills and wife to Caroline Thompson, lots 31 and 32, block 2, Woodman's subdivision of block 1, plat 1, \$1000
Utah Savings & Trust company to Charles H. Staats, 244 feet in the northeast corner of lot 5, block 12, plat A, with a right of way to street, \$1000
Charles C. Crapo and wife to John W. Shilson, lots 11 and 12, block 26, Alta townsite, \$250
William H. Bird and wife to Salt Lake county, a public highway in section 25, township 2 south, range 1 west, \$1000
George Hedger and wife to William Gudgel and wife, 20 square feet in the northeast corner of lot 5, block 12, plat F, \$200
O. Bernard Mecklenburg to Josephine P. Mecklenburg, his wife, 6x121 feet in the northeast corner of lot 1, block 13, plat G, with a right of way to street, \$1000

WEATHER REPORT.

Record at the local office of the weather bureau for the 24 hours ending at 6 a. m. today:

Barometer reading at 6 a. m., 30.73 inches. Temperature at 6 a. m., 40 degrees; maximum, 58; minimum, 34; mean, 46, which is 3 degrees above normal.

Excess of the daily mean temperature since the first of the month, 55 degrees. Excess of daily mean temperature since Jan. 1, 54 degrees. Excess in precipitation since Jan. 1, 1.48 inch.

FORECASTS TILL 6 P. M. THURSDAY.

Local forecast for Salt Lake City and vicinity:

Fair tonight and Thursday; colder tonight.

Utah (forecast taken at Denver, Colo.)

Fair tonight, colder north portion; Thursday fair.

Wyoming:

Fair and colder tonight; Thursday fair.

WEATHER CONDITIONS.

The storm moving over the Pacific northwest has moved eastward and now extends over the Canadian provinces of Alberta and Assiniboia. High pressure overlies the middle plateau region. The high over the southeastern states remains stationary. Considerable scattered cloudiness is reported from the Missouri valley and along the Gulf and Atlantic states, but over the Pacific northwest, clear weather generally prevails. Light rains occurred over the last-named region during the past 24 hours, falling mostly yesterday afternoon. From no other portion of the country has precipitation been reported during the past 24 hours.

Temperatures were decidedly higher over the eastern slope of the Rockies and the Missouri valley and moderately higher to the eastward, while there was a fall in the temperature over the north Pacific coast and the northern plateau.

L. LODHOLZ, Observer Temporarily in Charge.

TODAY'S TEMPERATURE.

6 a. m.	40
7 a. m.	49
8 a. m.	57
9 a. m.	59
10 a. m.	57
11 a. m.	51
12 m.	54
1 p. m.	55

YESTERDAY'S RECORD.

Highest	58
Lowest	33



Comforts, Down Quilts and Pillows

Most people want bed covers that look well, that keep their colors and that will not grow shabby at the least provocation. Here are the kind you are looking for.

H. DINWOODEY FURNITURE CO.

ASK FOR McDONALD'S CHOCOLATES WITH WHIPPED CREAM CENTERS. SOLD IN 1/2 LB. & 1 LB. PKGS. EVERYWHERE.

AT BARTON'S STORE. 100 BOYS' OVERCOATS AT HALF PRICE! These coats are from broken lines, last of lots etc., sizes from 4 to 17. 50 BOYS' REEFERS, sizes 3 to 9 while they last 1-4 OFF. An assortment of Boys' clothes, last of lots etc., sizes 3 to 15 special at \$1.85. High class Men's shirts, broken lots, all sizes at 69c. 16 WILL PAY YOU 60 BUY NOW. The Best in Men's Suits, Overcoats, Hats, Furnishings. BARTON & CO., One Price Store 45-47 MAIN.

SPECIAL ANNOUNCEMENT FOR THURSDAY AND FRIDAY.

John's DRY GOODS STORE 222-224 MAIN ST.

All the New DRESS TRIMMINGS at 25 PER CENT DISCOUNT. Never in our history have we shown a handsomer or better assorted stock of rich trimmings, ornaments, chiffon, tinsel, spangled and St. Gall appliques, medallions, bands, points, etc., in all the newest imported creations, at prices ranging from 50c per yard up to \$1.00, to be sold at a reduction of 25 per cent.

The Remarkable Sacrifice Of Our Entire Dress Goods Stock Has Attracted Tremendous Crowds of Buyers. If you have not taken advantage of this great sacrifice sale, do it now. All the newest and finest autumn and winter dress fabrics included in this great sale. SAMPLE VALUES: 25c NEW WOOL WAISTINGS. SACRIFICING ENTIRE HAND