The only safeguard was in congressional investigation, he said.

Mr. Teller expressed the opinion that the postoffice department would make a thorough investigation, but contended that the legislative branch should retain the right to make an inquiry.

Mr. Clay expressed surprise that there should be opposition to the resolution and he called attention to the declarations by Fourth Assistant Postmaster General Bristow and Counsellors Bonaparte and Conrad that the investigation should be carried further. Re declared that the Bristow report "emonstrates the absolute guilt of the fate first assistant postmaster general. Mr. Heath. He (Bristow), says himself that this leading high official was guilty and the proof overwhelming. If this is true, Mr. Heath should have been indleted. I will do Mr. Bristow the credit to say that his report shows that the frauds of the postoffice department originated in Heath's office. If so, he must have had cognizance of them. Then why should the subordinates in that office be indicted and the principal be allowed to escape?"

Mr. Clay quoted extracts from the Bristow report to substantiate his ar-

"If," he said, "this report speaks the truth, Perry S. Heath originated all the frauds in his office."

## NEW STUDENT BODY.

#### One Organized at the University of Utah -Thomas is President,

At 11 a. m. today there was a general meeting of the student body of the University of Utah, Mr. George Riser presiding. After reporting that the coilege students had withdrawn and suggesting that the preparatory students enect an organization of their own, the former repaired to room 22, Museum building, where they effected an organ-ization by electing Elbert D. Thomas president; H. C. Brown secretary and treasurer, and George Riser a member of the athletic council. The organization includes the fourth year normals, the engineers and art students, and each department will be entitled to elect one member of the executive com-mittee. It will be known as "The Stu-dent Body Organization of the University of Utah.'

Simultaneously the preparatory students met in the large assembly room of the Museum building, where they were addressed by their former president, Mr. Elbert D. Thomas, who sug-gested that they effect an organization. Frederick Phoenix was made temporary chairman and Miss Elsie Ward temporary secretary. The students temporary secretary. The students then elected the following committee to draft a constitution for the preparatory student body: W. E. Davis, W. H. James, Daisy Clark and Ethel Simons, This committee will report at an early

date

It is a beautiful thing for a grocer to do, to sell Schilling's Best ; for the goods are good and the dealing is high; there's nothing higher in business.

The Snake has been bridged in two erminus, and more bridges are to be instructed. The company proposes to make that section the banner spot of the southern part of the state.

CONTAGIOUS DISEASES.

Only Four Cases in the County at the Close of the Year,

County Physician Mayo today filed his report for the month of December with the county commissioners, There were 11 cases of diphtheria and 10 cases scarlet fever in the county during e month, but no smallpox. Two deaths from diphtheria were reported. There were only four cases of con tagious diseases under quarantine at the end of the month.



#### M. E. Jones and Prof. Swensen Take Opposite Views on Utah Lake Reservoir.

Prof. M. E. Jones does not place the same faith in Utah lake as a reservoir as other scientists, and claims that there is not enough water running into the lake to warrant making it a reser-Marcover, the professor holds that establishing reservoirs in the watershed of the Great Salt Lake with holds water from the great lake, which helps dry it up and reduces the evaporation of the great lake and the con-sequent precipitation in this basin. However, Prof. Swendsen of the geological survey says he has a complete array of facts and figures ascertained careful investigation which go to in Utah lake is not only feasible but particularly desirable, and that Prof. Jones is mistaken in his premises.

## LATE LOCALS.

Today's local bank clearings amount-ed to \$464,707.87, as against \$700,617.13 for the same day last year.

The Beesley family of musicians have had their group picture taken in large size, and they make a fine showing.

The street department is busy scrap-ing the snow from the sides of the streets in the paved district nearest the sidewalks.

Mr. Thomas J. Kleinogie, the local representative of Armour & Co., has been transferred to San Francisco, for which point he will leave on the 16th.

It was not expected this noon that there would be any inquest over the Italian killed last night at the Warm Springs quary. The local Italians will give here a busical give him a burial. Suit for divorce has been filed in the

district court by William N. Foster against Ruth Foster on the grounds of desertion. They were married at Logan on May 6, 1903.





# PLANT HAD TO BE REBUILT.

Was Incompetent.

# Says That Owing to Alleged Blunder-

ing, Company Had to Expend The Sum of \$50,000.

The answer of defendant in the case of Rudolph J. Decker against the Consolidated Mercur Gold Mines company was filed in the district court today. In his complaint Decker asked judgment against defendant for \$6,505.02 alleged to be due for a breach of contract in the construction of a Moore slime process plant at the defendant's mill at Mercur and for services rendered in superintending the work. In its answer defendant alleges neg-ligence on the part of plaintiff in in-stalling the plant which caused dam-ages in the sum of \$10,000 by defendant having to replace the material and appliances used by plaintiff with more substantial matter and having to reconstruct the entire mill. Plaintiff in his estimate of the cost of the plant, stated that it would cost \$15,000, but de fendant alleges that, owing to plain-tiff's negligence and incompetency, it has been compelled to expend the sum of \$50,000 on the plant. In the agreement entered into between plaintiff and defendant, it was agreed that plaintiff should receive 5 per cent of the total cost of the mill for his services. Up to the time plaintiff quit the contract, is alloged that defendant paid him 95.81 more than was really coming to

him under the agreement. Defendant asks judgment against plaintiff, there-fore, for the sum of \$10,000 damages and \$495.81, the amount overpaid plain tiff on the contract,

Two more damage suits were filed In the district court today against the Utah Consolidated Mining company for a total of \$17,330,15 damages for in-juries to the land, crops and stock of William L. Turner and James F. Tur-ner, alleged to have been caused by the deadly from a damage for the Minileadly fumes and smoke from the High. land Boy smelter operated by defend-ant. William L. Turner in his complaint asks damages for the sum of \$8,156,50 for injuries to his property during the past four years. James F. Turner asks judgment for the sum of \$8,573.65 for injuries to his property during the same period of time.

## FRAUD CHARGED.

Mrs. Cheshire Says She Signed a Deed While Wholly Incompetent.

Dr. Shoop's TWENTY KILLED IN **Rheumatic Cure ROCK ISLAND WRECK** Costs Nothing If It Fails. Any honest person who suffers from Rheumatism is welcome to this offer

DESERET EVENING NEWS: WEDNESDAY, JANUARY 6, 1904.

But most cases will yield

pect a penny from you.

STILL ANOTHER.

Be the Man Selected.

(Special to the "News.")

Cheyenne, Wyo., Jan. 6 .- There is

well founded rumor here that W. L.

DONALD ROSE HERE.

For years I searched everywhere to find a specific for Rheumatism. For nearly (Continued from page one.) upon an alarm being raised by watch-

ers, who declared that the chopping away of the lower car was letting the top car down upon the victims. The clans everywhere. I do not mean that Dr. Shoop's Rheuor forward car, left the trucks in its backward rush. The trucks were still upon the track under the car in I do not mean that Dr. Shoop's khelt-matic Cure can turn bony joints into flesh again. That is imposible. But it will drive from the blood the poison that causes pain and swelling, and then that is the end of Rheumatism. I know this so well that I will furnish for a full month my Rheumatic Cure on trial. front. Not a wheel on the entire pas-senger train seemed to be off the track. The freight train fared differently, the four cars immediat / beinta kindling and strewn from one fence to the other. Dead and dying cattle lay I cannot cure all cases within a month. It would be unreasonable to expect that around in the neighborhood of the wrecked cars and some were running loose. A carload of hogs were nearly within 30 days. This trial treatment will convince you that Dr. Shoop's Rheumatic Cure all killed. is a power against Rheumatism-a po-tent force against disease that is irre-

3

#### WORK OF RESCUE,

The uninjured passengers in the Pull-My offer is made to convince you of my faith. My faith is but the outcome man cars led the rescue work. Among these was a Mr. Bell of New York city, of experience-of actual knowledge. I know what it can do, And I know this a crippie. He is not a practising phy-sician, but had studied medicine for so well that I will furnish my remedy on trial. Simply write me a postal for my book on Rheumatism. I will then arrange with a druggist in your vicinity so that you can secure six bottles of Dr. three years. During the past nine months he has been under treatment for spinal trouble which resulted from an injury to his hips and has caused the shortening of one of his legs, requiring so that you can secure six bottles of Dr. Shoop's Rheumatic Cure to make the test. You may take it a full month on trial. If it succeeds the cost to you is \$5.50. If it fails the loss is mine and mine alone. It will be left entirely to you. I mean that exactly. If you say the trial is not satisfactory I don't ex. that he wear an iron heel and carry a crutch. Despite these disadvantages he was able to direct the work of tending the injured and he was responsible for the saving of some lives. Bell cleared a portion of the chair car and set up a hospital. Then he cleared berths in the sleeper and had the victims of the ca thstrephe brought in and made as com-I have no samples. Any mere sam-ple that can affect chronic Rheumatism-must be drugged to the verge of danger. I use no such drugs for it is dangerous fo take them. You must get the disease out of the blood. My remefortable as possible. He was without in-struments and medicine, and the only thing he could do was to bind up wounds with bandages made by tearing up sleeper sheets and pillow cases, givdy does that even in the most difficult, ng the patients whiskey to deaden the

paln An artery was severed in the fire-man's leg. The young doctor took it up with a pen knife and tied it with a thread, probably preventing the fireman from bleeding to death. He performed for the arrival of the article be-fore the arrival of the Topeka physi-cians. A shortage of hypodermic need-les was soon discovered. Nearly all the needles were broken in a short time and then the doctors was broken in a short time and then the doctors were forced to resort to whisky.

THE HERO PHYSICIAN.

The hero physician refused to give his name to the State Journal reporter but from passengers he was learned to be Dr. Bell of New York City, ini-tials not yet obtained. Miss Anna and Miss Mary Mann of Smithville, Mo., acted as nurses and rendered almost equal service with Dr. Bell, working under his direction. Two sisters named Roseborough belowd in the work Roseborough, helped in the work.

Park, general superintendent of the western division of the Union Pacific, None of the trainmen seemed to know who was to blame for the wreck. The El Paso train left Topeka, about 30 minutes late, and the injured conductor, as he lay in a sleeper berth, said that he had the right of way, and that the cattle train had no excuse for being out on the main line under any cir-cumstances. He said that it should Union Pacific under President Harriunion Pacine under President Harri-man. He will perform the same duties performed by President Burt and will receive the same salary. It is said that Assistant Supt. G. A. Whitney of the Wyoming division will succeed Mr. Park here in the event the latter is called to Omaha. cumstances. He said that it should have waited for the passenger at Ma-ple Hill, six miles west of Willard. The El Paso train did not stop at Willard, and was running to make up lost time. Will Go to Europe to Build Up Import At the point where the wreck occurred And Export Business for His Road. there is a curve in the track and the engineers on the two trains barely had Donald Rose, general European agent of the Illinois Central, accom-panied by Mrs. Rose, arrived in Salt time to set the airbrakes and jump



st child were instantly killed. Ladies est child were instantly killed. Ladies from among the passengers tried to comfort the desolate children who were crying loudly for "Moder." The father worked with the frenzy of des-peration, tearing boards from the side of the car with his bare hands until the block come. It was merely an the blood came. It was nearly an hour later when the body of the woman was found, with the smaller child and piece of baggage in her arms. A Mrs. Hill, who with her small

daughter was going to El Paso, was in the wrecked car. Mrs. Hill died while giving her name to a physician who was trying to revive her. When the relief train, with 19 injured persons aboard, left the scene of the wreck, the wrecking volunteers were trying to find the body of the little daughter.



been open or the skylights not been tened shut," said Mr. Fulkerson, "th would have been no loss of life by fire, regardless of the asbestos curtain failing to work. An employe of the theater

be asked to pass an act authorizing the Philippine commission to secure the name of some individual acting in be-half of the government of the islands under which to issue its bonds, for the sum of \$7,237,000, recently authorized for the payment of the purchase price of the friar lands.

### Wife Wants a Divorce.

Martha A. Luskin filed suit for divorce in the district court today against Samuel H. Luskin, on the grounds of habitual drunkenness and failure to support. They were married in this city Aug. 24, 1887, and have one child, of which plaintiff asks the custody. She also asks for \$15 per month for the maintenance of the child.

1	BOSTON STOCK MARKET
	Closing quotations today as re ported by Hudson & Sons Co. brokers, were:
	Bid. Asked Amalgamated 4914 493 Con. Mercur 60 70 Daly-West

BORG.-At his home, 3112 south State street, Mr. Lears N. Borg, Sunday, Jan. 3, 1904, at 8 a. m., age 79 years, four months, Funeral will be held in Farmers ward meetinghouse, Friday, Jan. 8, 1964, at 1

PROBATE AND GUARDIANSHIP NOTICES.

Consult County Clerk or the respective signers for further information.

LOULA V. RILEY, Executrix of James A. Riley, Deceased, Date of first publication, January A. D. 1904.

Harrington & Sanford, Attorneys,

OPECIALS P.M.

ATURDAY From

25 Cents Per Pound.

2 to 6

p. m.

Cheyenne Belleves That W. L. Park Will

DAMAGE SUITS. wo More Filed Against the Utah Consolidated Mining Company.

will be named general manager

obstinate cases. It has cured the old-est cases that I ever met, and in all of my experience, in all of my 2,000 tests. I nevr found another remedy that yould cure one chronic case in ten. Write me and I will send you the book. Try my remedy for a month, for it ean't harm you anyway. If it falls the loss is mine. Address Dr. Shoop, Box 713, Racine,

Mild cases not chronic are often cured by one or two bottles. At all druggists.

On Friday night next the Bachelor Maids, comprising the girls of the fourth year normal course, will give a leapyear party in the large assembly hall of the Museum building.

James A. Strane of Cornell univer-sity arrived here Saturday and began work as foreman of the machine shops in place of George J. Silver, resigned. Strane comes highly recommended and is already doing very excellent work.

#### Mr. Arthur Shepherd

has moved his piano studio to room No. 3 Hooper & Eldredge Bldg. No. 49 Main St.

## APPLICATIONS FOR PARDON.

The following applications for pardons, parole and commutation of sentence will come up before the board of pardons on the 16th inst .: For pardon -James O. Bliss, alias C. L. Maxwell; Frederick von Falkenstein, Elon A. Harrison, Joseph Hill, Charles A. Lar-sen, Joseph Swazey, William Hallum, allas William Kelly: For parole-Jo-seph J. Wimbish, Harry T. Duke; For commutation of sentence-Thomas Danaher.

### WEATHER OUTLOOK.

Notwithstanding the cloudy threatening weather, the weather hureau does not look for any rain, as the high barometer is unfavorable' to a snowfall The local mercury fell this morning to 20 degrees, and the thermometer averages medium low through the west. Even at Phoenix it fell to 22, and at Yuma to 33.

#### A GUARANTEED CURE FOR PILES.

Itching, Blind, Bleeding or Protruding Piles, Druggists will refund money if PAZO OINTMENT fails to cure in 6 to 14 days.

#### GIGANTIC SAGEBRUSH.

#### Specimen of What Grows in Idaho-Power Dam Items.

There is an immense specimen of southern Idaho sagebrush exhibited in the D. F. Walker building by the American Falls Canal and Power com pany whose headquarters are in this city. This sagebrush tree is seven feet high, and attracts considerable attention, but the officers of the company say that is but a small sample, as the sage brush on the desert near American Falls grows to a height of distance is so covered by this gigantic

from a point above Blackfoot to : point below American Falls on the Snake. In this distance there is a fal 130 feet, so that the waste waters of long, an electric raliway from Ameri-

While out walking last night with her husband, Mrs. Thomas J. Kleinogle 448 Fourth East street, slipped on the pavement and broke her wrist. She was removed to her home, where Dr. Hosmer set the fracture.

El Paso has fallen down on getting the Electrical Workers' convention for 1905, as the lodges throughout the coun-try voted heavily in favor of Louisville. Ky., on the referendum vote. But then El Paso has this year's irrigation congress which will have to do them for the time.

A special from Springville says that T. E. Child had his right eye removed at the hospital there last Monday, and is doing nicely. Mrs. Jennie B. Whip-ple, formerly matron of the Salt Lake ounty infirmary, has been taken to the hospital to be treated for a long stand ing affliction

President Jessie M. Smith of the Utah Wool Growers' association has ascer-tained that there will be fully 100 delegates to the Portland conventions from this state. The delegation will occupy three standard sleepers, and have a special diving car. They propose to have a good time.

The Orpheus club management has sent out invitations to all the men singers in the city to join the club. Attendance on rehearsals has of late been so irregular that an increase of membership is felt necessary to insure proper balancing of the voice parts at rehearsals.

The new metallurgical building at the state university is so nearly complete that it is being occupied for purposes of instruction. A fine metal-lurgical plant is being installed, including furnaces, assaying and leaching apparatus, and the latest methods of reducing refractory ores. It is proposed o have one of the finest metallurgical schools in the country.

Local architects favor separate stair. with the street, and using these exits after every performance instead of having the occupants of the galleries return to the street through interior annugeways. The use of such exits amiliarizes the public with them, so hat in case of used of their sudden use, here would be no delay in the escape of an audience

The terrible anthrax disease which aused such a mortality among horses at Milford, Utah, some weeks ugo, has now appeared at Clifton, Ida., where one man alone has lost 13 head. Veterintrians say that horses dying of that disease should not be buried, as the germs get up through the ground and nto the grass, thus communicating the disease to other animals. The only way to do is to cremate the dead animals, and thus destroy the germs.



George Cheshire today filed a petition in the probate division of the district court for letters of administration of the estate of Elizabeth Cheshire. de ceased, who died in this city Nov. 22, 1903. The estate consists of personal property of the value of \$50 and real estate of the value of \$3,500, which is

encumbered by a mortgage of about The petition also recites that in the month of September, 1903, while Elizabeth Cheshire was wholly incompetent to transact business, Reuben Cheshire

one of the heirs-at-law of deceased, induced her by undue influence to ex-ecute a deed to him to the whole of the real estate belonging to her. The petitioner asks that the deed be declared null and vold.

Suit on a Note.

The State Bank of Utah this after-noon filed suit in the district court against James & Charles H. Blade to recover \$1.242, alleged to be due on a promissory note executed Nov. 21, 1901.

## PERSONALS.

Judge Bartch left for California on a visit today. Will Cunningham today departed on a trip to San Francisco.

W. H. Davison of Lewiston, Ida., is among the guests of the Wilson. Joe Siegel, formerly of this city and in the clothing business at Butte,

is here on business, J. F. Bringhurst of Springville and C. M. Madsen of Gunnison are in the city on a brief business trip. Mrs. Will Sharp leaves for Chicago on Saturday, where she will join her husband and proceed to New York. J. C. Rice, general agent for the In-

ternational Harvester company, is bere from the east to open western head-quarters in this city, and spent yesterday in Ogden looking over the ground there with General Manager Odell of the Consolidated company.

Manager H. E. Parkhurst of the Pa-tic Underwriters has returned from a trip to San Francisco, where he left Captain Donnell, as the latter expresses it, "Younger than he ever was before in all his life.

## **BUSINESS NOTES.**

Walker Brothers' Dry Goods comany has filed an amendment to its ar-icles of incorporation in the county erk's office by which its capital stock is increased to \$390,000. The amendcial meeting of the stockholders held Dec. 21, 1903;

The amount of capital stock of the orporation shall be \$250,000, divided in-2,600 shares of common stock; and

Lake this morning. Mr. Rose expects to remain here until the end of the week when he will return to Chicago, prior to sailing for Europe next month. He expects to open headquarters on Leadenhall street, E. C., and then go on the continent and open up agencies in the larger cities and sea ports of Europe. It is the Intention of the Il-linois Central, says Mr. Rose, to fur-ther develop the import and export business at New Orleans, and with this object in view the European agents will concentrate their efforts in the direction of securing business via the steamship lines plying between New Orleans and European ports. Mr. Rose spent the day shaking hands with his many Salt Lake friends.

### CHICAGO OUTLET.

#### Union Pacific to Secure the Chicago & Alton as Link in System.

Chicago, Jan. 5 .- The Post says: According to reliable authority the Chicago & Alton will be sold to the Union Pacific. This was the subject of the Kuhn-Loeb circular asking for the deposit of stock to facilitate the sale of the road. The response to the request for the deposit of stock has been so general as to insure the success of the deal.

The Alton will be used to afford the Union Pacific and the Southern Pacific a direct Chicago outlet and the head-quarters of the entire system may be noved to this city.

It is intimated that the purchase of the Alton by the Union Pacific may not in any way interfere with the plans suggested for the close affiliation of the former with the Kansas City Southern.

#### SPIKE AND RAIL.

Thomas Tipton, purchasing agent or' the D. & R. G., is numbered for! among the visiting officials in town today.

Frederick Mertsheimer, superintend-ent of motive power and car departments of the Denver & Rio Grande, is in the city today from Denver.

Harry Buyne, road master on the west end of the Oregon Short Line, is to be operated upon for appendicitis at St. Mark's hospital tomorrow morn-

Auditor McNitt of the Oregon Short

Line is out on an inspection trip in Idaho. During his absence Mr. Cruickshank is the man at the helm. General Freight and Passenger Agent Gillett of the Salt Lake Route is re-ported to be slightly better today.



The heavy freight, which looked like it might be half a mile long, was not easily stopped. The passengers on the El Paso train were given little warning. The loud hiss of the airbrakes was followed almost instantly by the blow and crush-ing sound of telescoping cars. Not more than two seconds elapsed.

AMID GROANS AND SHRIEKS.

Amid the groans and shrieks of the injured the survivors crawled out over wrecked seats. The usual number of human swine were visible. They stood around and hung on to their baggage with an iron grip while other men were using all the tools on the train and then resorting to wooden levers and pleces of scrap-iron to break into the death trap.

Just before the car went to pieces, a middle-aged German who could not speak a word of English, came into the doomed coach with his family, consisting of a wife and five children, all under ten years of age. They had a sisting of a wife and five children, all under ten years of age. They had a lot of miscellaneous baggage and could find no place in the car. Not ten sec-onds before the wreck the porter called to the German to go forward to the smoker, as there was plenty of room in that car. The German and his family started forward. A minute after the wreck the agonized German, whose face was covered with blood from a wreck the agonized German, whose face was covered with blood from a dozen wounds, broke out of the car and began calling loudly for his family. In a few minutes three men came out of the wrecked car carrying four of the children. They were motherless. How they escaped instant death is a myste-

through the floor of one car and were through the floor of one car and were taken out of the smoker which was piled on top. The mother and small-

alled in his duty of closing the metal reflecting trough and thus blocked the curtain. But the skylights were blocked and wired so they could not be opened.

'The heat of the flames finally broke two panes of the skylight with the re-sult that there was instantly relief from the deadly draft sweeping the auditorium. If the skylights had been entirely opened, the flames would have been diverted from the auditorium entirely." Mr. Fulkerson added:

NOTICE TO CREDITORS.--Estate of James A. Riley, Deceased. Credi-tors will present claims with vouch-ers to the undersigned at 430 D. F. Walker Building, Salt Lake City, Utah, on or before the 15th day of May, A. D. 1904. "All the testimony given me forms a story of incompetence, blunders, care-lessness and neglect upon the part of the builders and managers of the the-

ater.' Today George M. Dusenberry, head usher, was called before Inspector Ful-kerson and the ushers were examined today to determine the truth of reports that the ushers tried to prevent by threats of arrest the outpouring of

frightened people from the burning theater. C. M. Hawes, a scene shifter, gave important testimony before Fire In-spector Fulkerson. He declared that the stage management of the Iroquois had no orders to govern the employes in case of a fire, had never instructed them as to opening or closing ventila-tors, and never gave them a fire drill, David Jones, John Kingsbury, Otto Rausch and William Brown, the Fuller Construction company employes arrested on a charge of malicious mischief in destroying evidence at the theater by changing the skylights, were today held under bonds of \$2,000 each.



10 Kinds of

Cream Caramels,

for a state of the state of the

