I, es sheriff of Salt Lake county, w LETTER FROM JOHN BECK'S LIFE REED SMOOT STRIKERS' EYES aghts of the company. When I asked a ben as "When I asked Superintendent To to if he would take the men back work pending a consideration of MAJOR STANTON AN APOSTLE. ON WEDNESDAY. INSURANCE POLICY mands for one week, he replied c ily that he would-all but the reatening and disgruntled ones save no inclination to concede any at all and who seemed intent or ipitating trouble. I promptly intro-Agent Who Procured Him Enti- Son of Abraham O. Smoot is Honored Army Paymaster Relates Some Will Know Then Whether it is the selting the other men to riot, and, no, at once or they would be rega Very Interesting Experiences. is trespassers and placed under in This had the desired effect. The Same or Higher Wages. With the Exalted Position. tled to His Commission in Full. ontents departed, the gang bosses alled and all escorted their MEN TO WORK SUPREME COURT SO DECIDES MORE SURPRISED THAN ANY MEETS WITH CANNIBALS. SHERIFF HOWELLS TALKS. as the work now continues pending receipt of a decision which I am tain will be given on Wednesday. I that is all there is to it. I do not lieve that sensible men or women take any exception to my course. W I did I did under the belief th was acting right and that I will d long as the trouble continues and Recounts His Position and Dealing The Appointment Not Looked For, Decision in Case of Reed vs Union with the Company and Men-Has Central Company-Lower Court ong as the trouble continues an

1s Affirmed.

The Supreme Court handed down an

vs the Union Central Life Insurance

impany, of Cincinnati, appellant af-

In December, 1896, the plaintiff to this ction became the agent of the defend-

ant under a written contract, whereby he was to canvass for insurance for the

terendant, and was to receive as com-constition for his services a commission pon the premiums "which shall be paid

apon the premiums "which shall be paid in cash to, and received by the company on all policies of insurance effected with the company by or through the procurement of the plaintiff." While act-

ing under this contract Reed procured an application from John Beck for in-

urance upon his life in the sum of \$100.

000,000, and a policy was issued upon this application to Mr. Beck. The policy was dated August 2, 1897, and re-

maired in force to November 13, 1897.

The first annual premium was \$5,702,

business.

or which Beck gave three promissory otes as follows: Two thousand due

Been Exceedingly Fair. sidering the position and claims concerned. If there is any fault ing or criticism for that sort of o I will round up my shoulders and it and meet all my opponents in open field or fair play." The emelter strike situation has developed nothing new and inquiry among those concerned today resulted in the information being given out that noth-THE MEN AND THE TRUST ing was expected until Wednesday,

though it is very possible that definite The Situation Discussed by the Loword regarding the demand of the strikers for an increase of wages may be forthcoming by tomorrow. ning up against the pricks of a heart

In the meantime work is going on at the smelter, day and night, the same as before the difficulty arose. In fact the men seem to be on their best behavior and if there are misgivings as to the answer the company will make to their answer the company will make to their request they are succeeding admirably in keeping them from view. It is thought that the strikers' committee will wait upon Manager Jones in this city tomorrow though they may not do so until the day after, which is the date fixed for the answer to be given them. Sumprimendent Turker was in them. Superintendent Tucker was in Salt Lake today consulting with Manager Jones on that matter leaving the smelter and the men in charge of Assistant Superintendent Austin.

SHERIFF HOWELLS' ATTITUDE.

Sheriff John Howells of Salt Lake county appears to have become the vic-tim of a widespread misconception besides receiving considerable criticism from some of the strikers and other lafrom some of the article and the boring men. The fact is, Sheriff How-ells approached the situation with much more than ordinary caution, realizing full well the delicacy of a proposition such as confronted the men, the com-pany, and himself and deputies. His effort at the first outbreak of the trouble and his desire now, he solemnly declares, are for the best good of all concerned and a careful investigation of the facts bears out that declaration to the letter. Sheriff Howells, with due deliberation, recounted his position to the "News" today, stating:

BEGINNING OF THE STRIKE.

"On the afternoon of the strike I was out of the city on official business and they had grievances and that the were only put in the waste basket. Tuesday the tappers on the day shi just as the 3 o'clock shift was comi did not learn of it until my return that night. On inquiry I ascertained that Mr. Montgomery, my chief deputy, had dispatched three of my men to the scene of the trouble. They were depu-tles Cummock, Dyer and Dowse. One other, Mr. Goldman, was already there. on, sent a committee of three who ask the superintendent for an increase 35 cents all round. Hardly anybod knew of the movement except the tal pres but when the committee's deman other, Mr. Goldman, was already there. "On the morning following," con-tinued Sheriff Howells, "I also drove down to Murray, arriving there at an early hour for the purpose of being present at the time the 7 o'clock shift went on duty. I soon discovered that were given no consideration the enti-force to a man laid down the work as walked out. Everybody was taken his feet by storm and no one want went on duty. I soon discovered that there had been a quiet night and that really no trouble of any kind had oc-curred whatever. I have talked with my men in great detail and have harned beyond question of doubt that



DESERET EVENING NEWS: MONDAY, APRIL 9, 1900.

officers of the company received in-formation that led them to begood one. Becoming apprehen-sive of these reports the com-pany sent Allan Waters, its western mills, and has held the position ever ands, are not home yet, and we have agent to Sait Lake to investigate and report whether or not the risk was a desirable one. Mr. Waters learned that the business enterprizes of his native it even heard from them, except in-DOGS A FAVORITE DIET. Beck was suffering from Bright's town seemed almost indispensable, as 'In my last letter I think I told you he is president of the Provo Comm sease and insisted that a re-examinaof the Zulu island people, the Moros, and since then I have met one of the northern tribes, the Igorotes, who are head hunters. They are big and black, or rather bronze color, wear human teeth of dead enemics plaited in their hair, have from two to a dozen heads hearding around in the rathers of their tion was necessary. Mr. Beck refused to submit to another examination, when cial & Savings bank, and vice presiden of the First National bank. After his father's death he was placed on the exegotiations for the surrender of the olicy and cancellation of the unpaid ecutive committee of the B, Y. Acade-my, in which position he has given the full benefit of his untiring zeal and sound judgment. es were commenced, terminating by Beck agreeing to accept \$500 and

the surrender of the policy to the com-pany for cancellation, and the company Apostle Smoot married Miss Alpha May Eldredge, daughter of the late Horace S. Eldredge, in 1884, and they have five bright children, two sons and reeing to return to Mr. Beck the two The plaintiff then brought suit to re-over his commissions in full amounting a all to \$1,851, \$200 of which only had three daughters, as the fruit of their

He has always been a conscien Reed took no active part in these ne-otiations, but offered no objection to consistent Latter-day Saint, and his worth in the capacity of a churchman the surrender of the policy and notes. At the trial he testified that he did not know that he had any right to his was recognized when in 1895, the year of his father's death, he was placed not know that he had any right to not know that he had any right to had consulted his attorneys. Dey & and is reluctant in speaking of himself, or the honors that have come upon the has met with unabated suchim. He has met with unabated success in the business world ever since he was entitled to it. The reason he said nothing to his company about it was launched out to win his bread, and in the affairs of the Church, no doubt his because Waters told him before leaving Salt Lake that it was hard on him judgment and sagacity will be mani-(Reed) and that he (Waters) would fested in the future. take the matter up with the company

examined them and after you've heard some of the good things our many customers have said about them. Boys' shoes, too, \$1.25 up, and Ladies' shoes. ROBINSON BROS'. CO., SHOE BUILDERS, . 124 Main St. Didn't Fancy Their Blet - Although Very Hungry He Could Not Re-*********************** gale on Young Dogs. COLORED JUROR'S SUIT-The following very interesting letter from the hand of Major Charles E. Stanton ,one of Salt Lake's most popu-Demurrer to J. Gordon McPherson's Complaint

> Sustained by Judge Cherry. Court Holds that Plaintiff Has No Cause of Action Against Juror

A Shoe Full

00D

of Good Things.

G^{00D} wear, good style, good fit, and a good thing after you get into it. You

can afford to invest \$3.00 in a

pair of our shoes after you've

Ed. McCarrick,

The \$5,000 damage suit of J. Gordon McPherson, the colored man, against Ea McCarrick, came up before Judge Cherry on Saturday afternoon upon demurrer which the court sustained. It will be remembered that when the requisite number of jurors had been obtained in the Benbrook murder trial, McCarrick objected to McPherson sitting on the jury because of his color. Judge Hiles excused McPherson, when Judge Powers objected to McCarrick and he too got let out from the panel. At the conclusion of the trial Mc Pherson brought suit against McCar-rick to recover damages alleged to have been sustained by reason of the lefendant's action in objecting to his

The demurrer was on the ground that the complaint did not state facts suffi-clent to constitute a cause of action. In sustaining the demurrer Judge Cherry held that McPherson was excluded from the jury by order of the court; that although McCarrick may have ob-jected to sit with McPherson, ultimate action was by the judge, who had the right to exclude any juror from the and whose presence seemed to the ourt to exercise an influence either

or or against the defendant. McPherson was allowed ten days in which to decide whether he would stand demurrer or file an amended omplaint

MONEY NOT DEPOSITED.

Supreme Court Decision in a Mount Pleasant Bank Case.

wouldn't take him. They wear nothing but a G string, though they live from 7,000 to 8,000 et above sea level and it is so cold In an opinion handed down this after-noon in the case of J. W. Tripler, agent is the Mount Pleasant Commercial and Savings bank, the supreme court af-firmed the judgment of the trial court. breath steams in the morning elr weapons are an axe carried in s G string or bela and a wicked look-spear. A chief threw the latter This was an action to recover \$2,000 lleged to have been deposited by plainthrough a target the size of a playing card at ninety feet. tiff in defendant's bank. In the court elow plaintiff was non-suited, when afendant appealed. The supreme defendant appealed. court finds from the evidence that no uch deposit was ever made, and tha laintiff was not the real party in the lleged deposit. It is further held that he plaintiff at the time a certain draft was made good by the bank and cer-Held That Decision of District Court is Not ain letters were written, did not con-uder the defendant in any way liable but the idea of holding it was an after thought.

was sick, only one drink, judge, only one." Such was the plea of Chas. Carter who has appeared on the linoeum so many times. "It will be \$10 or ten days at hard abor," was the court's order.

very lowest notch.

If You Lose Your

Weigh, Try Ours.

W eHave the Largest Variety of

DINING TABLES,

IN THE STATE.

Of all styles and patterns. Our prices are placed at the

H. Dinwoodey Furniture Co.

DINING CHAIRS

SIDEBOARDS,

C. M. Jackman, who imbibed a large quantity of intoxicants yesterday and endeavored to impress people with his ideas of theology by means of uppercuts and swings, was charged with as-sault and battery. Jackman claimed that he hit no one until he was as-

Three witnesses took the stand and testified that Jackman was preaching on the streets yesterday, declaring that he was the Savier and wheever refused to believe on him should be Jackman then began striking lamned.

people right and left because they did not believe. The defendant stated to the court that he was "undoubtedly intox-icated yesterday." The court thought

so, too, and fined him \$10. The charge of vagrancy was read to

John Redmon. "I am guilty," said John, "but I would like an opportunity o leave. I only got out Saturday af-er serving 40 days."

"Have you been is that since you got out?" inquired Just's Thurnday. ok at 'em." walled 'Me shoes is bad, lo Redmon, as he turned his toes up to the court. Just then Jailer Kimball spoke up and volunteered to help Redmon out by donating a pair of shoes. Sentence was suspended.

APPEALS FROM JUSTICES.

Always Final.

pealed from the justices of the peace, when the former courts have exceeded their jurisdiction in such cases? And,

aid the district court in the case at law

The Supreme Court holds that it may

by certiorari review the decisions and judgments rendered by district courts

proceeding to try the case

Officially Anuon ved. The Atchison, Topeka & Santa Fr unced today the completion ew line into San F any now having its own hlcago to San Fran stated that the ready to handle freight via th assenger trains will be run be July 1st.

Bamberger Coal Co

61 Main Street,

Fire ! Fire 1 Water ! Water !

A moment as you pass :

our Show Window and

look at our specimens of

DINING ROOM

FURNITURE.

Twenty thousand dollars' worth Men's, Boys' and Children's C and Furnishing Goods water in the big Progress big must be cleaned

led bargains. Sale began at 10 a. Friday. E. M. FRIEDMAN & CO

TO CURE A COLD IN USE DAL Take Laxative Bramo Quinine Tabl druggists roland the money fails to cure. E. W. is on each box. 250 E. W. Grove's signate

ADDITIONAL OCDEN TRAIN

Passengers for Orde nind the Rio vay runs a train afly at 5:30 D. lusive, making Other Ogden tra and 9:1

there was no gun play at all; and just why such a story started is difficult to tell. The statement that my deputies were armed with rifles is also equally untrue. They simply had their usual equipment of a revolver and a pair of handcuffs each. These they are re-quired to carry at all times. It was understood that even these were not to be exhibited to the men unless occasion made it absolutely necessary.

FOUR MEN INTOXICATED.

"All there was of the trouble was is: at the time the night shift went on four men among the strikers were mewhat intoxicated, but there was no trouble with them. Deputy Cum-mock took one of them by the arm and quietly led him away and told him to go home and sober up, which he promsecond man and populy Dyer took the second man and Deputy Dowse the third man and gave these similar ad-monitions. Each of them went without objection. The fourth man departed of his own volition, and the shift went to work, and in the course of a short time affairs settled down to as nearly b normal condition as could be expected nder the circumstances. "As aiready stated, I was on the

ground at an early hour the following morning, and with Deputy Dyer went to the residence of Superintendent Tucker, and together the three of us started for the smelter. On the way over I suggested that the men be leniently dealt with, and that every consideration be given them by the company while the controversy was on. Without desiring to influence Mr. Tucker in any way but merely expressing a fact. I noted the great increase that there had been in the cost of all articles of living during the last year or two and then left the matter entirely to his This statement Superintendent Tucker will readily corrobor.

HELD OUT NO FALSE HOPES.

"Mr. Tucker stated that he had no discretion in the matter; that the ques tion of a raise of wages as to whethe there would be one or not, that would lie entirely with the governing board in the east. Mr. Tucker stated further that it would require from five to eight days to communicate with them and receive a definite reply. He said that he had held his present position as sup-erintendent for from five to seven years, and that never before had he had trouble with the men. He realized their condition fully, but said he did not desire to hold out any false hopes to them

HOWELLS IS AN ARBITER.

"By this time the men were gathering about ready for work, some with bas-kets and others with dinner pails in their hands. They assembled in groups and discussed the situation among themselves, and in a very few moments I wont up and accested them and on being introduced, and making inquiry as to the real status of affairs, I sug gested to them the appointment of a committee to wait upon Superintendent Tucker in his office and see what could be done regarding the difficulty, asking them to agree in the meantime to return to work until some kind of a de-cleion could be arrived at. This they agreed to do, Young Oisen, their leader among them. There were only five who raised objections to this understand ing. They not only objected but de manded that the strike continue there and then, and that all of the men who worked the night before be discharged instantaneously

SEE THEM IN H--- FIRST.

"Superintendent Tucker, in consider ing their demands, very quickly de clared that they were unreasonabl and that he would see them in h-

"These men continued to air their grievances and attempted to stir up trouble. I then had some further talk with the men, oil of a pacific character, and in the direction of cautioning them to be careful that they transgressed no rule or broke no law until a settlement of the question came, telling them at the same time that so far as possible

thought of the justice of their deman and instantaneously moved on, was no rlot or cause for any alarm were peaceful and good natur There was no need of calling for arm eputies, but the management only en sed its right in asking for proton and this act need not necessarily e construed as an indication of dan-

cal Paper at Murray.

Nothing but confusion comes out of a

disorganized crowd of poor men run-

less trust. This has been the story

strikes and labor union engineering over the States repeated over and o

again in every labor struggle. There cities and towns in Nevada, Idaho,

fornia and other western States say nothing of the great East, that

smouldering away under the bligh effects of strikes and with but

ew exceptions strikes result in a

to no one. Capitalists come toget and agree but laborers never do. We

ngmen are the hardest element to i ogether and be agreed for twenty-fr hours on concert of action in any p

on trilling details, and this lack of t

ect union gives their employers

vantage every time when a spasme

on the rights of men and be just-act and equally just. There are t sides, however, to every question, the first place, there can be no quest but what the men are justly entit

It is a hard thing to sit in judgment

to more pay for the work and the kind of work they do. Not only the men and their sympathizers think so but the

remen, superintendent and manage

forement superso. ment all agree so. That there was objection to the people

method of going at it and to the people asking the increase. It was said that

if some of the older men had made t advance instead of the younger on

they would have received more recogn

The whole thing was a wonderf piece of nerve. The men no doubt for

ieular.

ulse bursts.

They get confused and disa

Wednesday morning about 60 of the strikers went back to work on the promise of Superintendent Tucker that te would give them an answer to the lemands on April 10th. He desir this time in which to communicate with the operating committee of the smalle trust at Denver, which alone has power to make a general increase at the Ge The men are waiting upon the They declare that unless t nania. answer. trust agrees to advance their wages nts per day all round, almost ne will oult, which will cause the plant close down.

The services of the State board of arbitration and concillation have been offered each side in the case, but will hardly be accepted.—Murray Eagle.

OSCAR J. GUTKE BANKRUPT Ogden Citizen Fails - Liabilites \$28620 -Assets \$65.

Oscar J. Gutke, a railway brakeman living at Ogden, today filed a petition in voluntary hankruptcy in the United States court. His debts are scheduled at \$886.20 all unsecured, and his assets amount to \$65 worth of household goods, thich are all claimed to be exempt. His creditors are:

J. Lindquist, Ogden \$218.29 Brixen, Salt Lake Fernlund, Ogden 207/0 L. White H. Parry, Ogden J. Burt and Brothers, Ogden... White . Carr, Ogden McGinley & Co..... A. Stratford & Sons' Co..... 15.0

The petitioner has an insurance bolley amounting to \$2,600, in the Order of Rallway Conductors of Cedar Rapids Iowa, payable to his wife, but the policy has no eash surrender value.

M'KNIGHT IMPROVING.

Mrs. Mary A. McKnight, of this cit Another Unhappy Couple. mother of James McKnight, the ma who was seriously wounded in the at Emma Edmunds filed a divorce suit empt at killing in eastern Utah a fer days ago, is in receipt of a telegram eptember 4, 1876, and that in the year improving, but that he is still in a 1883 the defendant deserted plaintiff and has since failed to contribute towards upport. There are no children, C.

CRUSHED BY A BOULDER.

Yesterday a miner named Joseph Tietgren was injured at the mines near This afternoon arguments were being adde before Judge Helapp in the case f Utah Title Insurance & Trust com-any, administrator of the estate of Summit. He was ongaged in serting or when a large boulder fell, pinning his against the side of the tunnel. It was ome time before he was extricated b his companions. He was brought to the Keogh-Bosmer hospital, where he h progressing nicely and will be out in a few days, there being no bones broken.

and see what he could get it to do. After this the company wrote Reed FEDERAL COURT. stating it would not charge him the \$100 previouly advanced to him, and

In the case of William C. Weaver, receiver of the Bear River Irrigation and Ogden Water Works company veper cent additional \$100 and per cent additional commission for The Bear River Waters testified that he obtained defendant today filed an answer to the alternative writ of mandate and the the surrender of the policy because he alterna was convinced upon investigation that affiday the risk was undesirable; that Beck was aued. affidavit upon which the writ was is-

n financial difficulties, which involved . . . moral hazard which his company did In the case of Utah Canning company against the Pacific Sheet Metal Works, not care to assume. Plaintiff remained in the defendant company's employ nine the motion to quash service of sum-mons heretofore admitted was denied. after the Beck transaction, and did business on a sixty per cent commission basis, instead of fifty per cent. The case was tried before Judge The defendant was given ten days in which to file answer.

Cherry and a jury last November, the latter, acting under the instructions of The petition of Wm. Keyting for the court, finding in favor of plaintiff for \$1,803.81. The defendant appealed, assigning error in the admission of tes-was given until the May rule day in for \$1,003.81. The defendance of tes-assigning error in the admission of tes-timony and in the charge to the jury which to plead or make answer.

and rulings of the court. The first question considered by the The mandamus case against Ogden Supreme court is whether the defend-ant company, after going so far as it next.

did, could lawfully purchase the policy from Mr. Beck and surrender the notes, without proof of fraud, and thus de-The matter of J. B. Hickman, as to the priority morigage in the Vina M. Phelps bankrupt case, was argued be-fore Judge Marshall today, and taken under advisement. prive Reed of his commission. Hav-ing accepted the Bock notes, a legal ob-ligation as between the defendant and plaintiff, the court finds, rested upon

Edward E. Hoffmann of Richfield, Utah, was today admitted to practice the defendant to collect the notes when they became due, and pay the agreed commission, "This obligation," says the court, cannot be avoided under the con-of Judge Henderson. the United States court, on motion

tract by the claim that the company afterwards learned that the risk was g.ก.ก.ก.ก.ก.ก.ก.ก.ก.ก.ก.ก.ก.ก.ก.ก. undesirable or that it understood that Beck had been refused insurance in

HOTEL AND PERSONAL. another company. It might forfeit the policy for fraud in procuring it, for misannunnunnung Walker-H. H. Jacobs, E. R. Murdock,

statements in the application, or for nonpayment of the notes, but this course was not attempted. On the con-Emmettsville, Iowa, trary, the company recognized the bind

C. C. Garrett of Spokane was a visiing force and legality of the policy by paying \$500 in cash and surrendering the Dr. Chierri of Vienna was a guest at es not yet due in order to purchase

Beck's rights therein and relieve itself the Knutsford yesterday. from Hability." The matter of Mr. Beck's alleged in-E. H. Callister has returned from

Wyoming after an absence of a month. solvency the court finds was properly rejected by the trial court, it being a H.P. Spencer, a business man of Den-After a further review of the case the night. art finds no reversible error and af- J. S. Cameron, president of the Rapid rms the judgment of the court below. The opinion was delivered by Justice

Transit company, has returned from the Miner, Justice Baskin concurring, Chief Justice Bartch dissented.

C. E. Wantland, representing the Union Pacific land department, is in town. He came from Denver this time.

Emma Edmunds fired a circuit state Senutor A. O. Smoot says that out of this diverse been in lots of sight better! You've been in lots of worse place in this city on er enough electricity to supply the en-

Cullen-P. H. Gallagher, San Francisco; Mrs. Francis Jensen, Mount Pleas-ant; S. T. King, East St. Louis; J. W. Baldwin, Glenwood Springs,

Kenyon-Wm. H. Taylor and wife, Denver; J. R. Sharpe, New York; J. D. Holther, Ogden; Horace Mizh, San Fran-

ilsco; J. H. Bailey, Telluride, Coloraarles W. Milner, deceased, vs Stan-B. Milner, The suit is to recover 90 shares of the stock of the Tus-

White-J. K. Balrd, wife and family, Heber: R. G. Cush, Seattlet B. F. Luke and wife, Orangeville; Sam Pollock, San Francisco; William Curvine, Mer-cur; Mrs, J. J. Steiner, Panguitch.

"Their money is a copper coin made by themselves, called "clackers," and they use nothing else. Their pipe bowls are made of brass, gold and filver, and they have plenty of it. They make brass by fusing copper and lead. The chief of the tribe has a service of gold to eat on, as we were told by a local mag. nate, who saw when General Wey-ler went up the to call on the chief. This local magnate offered nuggets and dust at \$10 per ounce and it could have been had at \$5 I think.

anging around in the rafters of their wellings and are cannibals. Their fa-

ite diet is a young or puppy dog they carry them over the moun-

ins in baskets so that they won't be

We tried to get some eggs from

them and by gestures made out we were very hungry. They consulted awhilt and brought in a fine woolly pup and were greatly astonished when

COPPER AND GOLD PLENTIFUL

"Copper and gold must be very easy of access, for they have any quantity of it, and no tools but axes that I saw to work with. They are a hard iot, thes igorrotes, and all people are enemies and look alike to them, so if we even to any mining, we'll have to exterminate them.

'All the people here units in saying that Mindanao is the richest island of the group. In hemp, timber, copra, sugar cane, rice and gold, but as to the latter, there is enough on Luzon to make thousands of people rich.

"Major Schofield has gone up a stream of water a half mile seeing nothing but black sand all the time, and that is only forty miles from Man-

ila. "In the extreme north away up in the mountains are splendid pine for ests, but in the southern Islands, there are hundreds of miles of virgin of wonderful hard wood. They hav enough of it to make the Pullman car They have and planos of the world for a century I saw in Cebu a table top of one pie of wood seventy-eight inches in dia-meter and flooring boards three feet wide all hewed out by hand and they polish like ebony. The steps and some floors in the Hotel Oriente here are planks of rose wood two feet wide.

AN AMUSING MULETEER.

"Although we work like dogs, we occasionally get a side light on life that is very amusing. I met an army mule driver on Cebu island that was a observed. character. We were going up on the mountains eight miles with four big mules and an ambulance, and he kept talking to the mules all the while as though they understood him. In following the river bed we came to a place where the water had swalled to one side, and got stuck in a bad mud hole. He gave me the lines, jumped down in mud and water to his waist, swore a little at getting wet and then wen around to see if everything was intact, talking all the time. Addressing the strapping big near wheeler he said: "Don't you shake your head at me. Addressing the sir! Don't you tell me you can't pull out of this hole, for I know a damn sight better! You've been in lots of

out and you can leave this one behind, too, if you want to! Now, you use good sense, and when I give a yell, you move! D'you hear me?" "He walked around the wagon, petted

He wanted around the wagon, petted each one of them a little, and then standing on one side, gave a yell that reminded me of home. The mules went up on dry ground so suddenly that I

up on dry ground so suddenly broke my neck, but we were O. K. "I commended him on his manage-ment and he said: 'Oh, that ain't nuth-in', major. Ye see you've got to always argue with a mule. If you know some-this' and he don't you've got to conthin' and he don't, you've got to con-vince him if it takes a pick handle. But if he knows somethin' and he knows you don't know it, all hell won't move 1.56

CLEARING HOUSE REPORT.

RAMGERGER & MCMILLLAN.

Protection and a lot of the second second

The opinion was written by Justice Baskin and concurred in by Chief Jus-tice Bartch and Justice Miner. Chief Justice Bartch Dissents and

Ajax Mining Case.

Judge Hiles has occupied the Supremo ourt room today trying the case of Ienry Shields and W. I. Snyder vs the Alax Mining company. This action is to recover, on five equises of action, the sum of \$5,000, al-eged to be due for moneys advanced and for services rendered. The defense is a general denial. by the Supreme Court today.

Attorney Rogers appeared for plain-tiffs and Judge King for the defendant company.

Alleged Pickpockets Go Free.

M. H. Curley and Charles George Scott, the men charged with attempt-ing to pick the pocket of Joseph Hickey ing to pick the polar of Joseph Hickey in this city last January, were given a rial before Judge Norell and a jury oday and upon motion of the State, ifter the dylaence was all in, a verdict f not guilty was returned and the deendants discharged. Mr. Van Cout, who had charge of the

prosecution, stated that the evidence was too filmsey to warrant his asking for a conviction. The men were de-fended by Attorney J. M. Hamilton.



The Theater will be closed tonight. but the Grand will open a three-nights engagement with "Knobs o' Tennessee." a thrilling mountain play with a strong cast.

"Pinafore" was rendered by the Home Operatic company with the usual sucess at Christensen's hall on Saturday cess at Christensen's hall on Saturday hight. The storm kept many people away but the attendance was still a good one. The cast was the same as before, except that Mr. Andrew Peter-son, the Deadeye, was replaced by Mr. Doxey, Mr. Peterson having left to take a confident in Park City, Mr. Doxey. a position in Park City. Mr. Doxey filled the role very creditably. The final performance will be given tonight, and Conference friends will find it will be worth visiting.

The advance sale for Paderewski opened at the Theater this morning. Though the storm prevented any great rush there was a considerable number guilty but admitted that Pearce gave of applications filled. Henry Peery se-cured the choice of the stalls at \$4 per seat, and generally the demands were limited to the higher priced parts of the him the money to give to his (Pearce's) brother. "I took the money to his brother but did not give it to him. I was told that if I would recover money I would not be prosecuted," house. The sale will be continued every day between this and the date of the rder to give the defendant time performance, on the 21st. make his orrangements the case was set for hearing next Monday. In de-

BANKRUPTCY NOTES. The case of Nathaniel V. Jones, bank-

rupt, was today closed by Referee Baid-win, and referred back to the United States court.

The reception to Elder Robert H. Siddoway takes place in the Second annun munun munun ward meeting house tonight. At cellent program will be rendered. JUDGE TIMMONY'S COURT.

annunnunnunnung The city was enriched today in the sum of \$5 when the name of Pat Mo-Afee was called, and Pat failed to an-

SWCP. . . .

T. McCan, accused of being intoxicat-ed last Saturday night, stated that it was his first offense. "I have a job your honer, if you will let me go. I was never here before." body.

MADSEN .- Natalia P. Madsen, at the home of her daughter, 754 south "Don't come back again, then," said the court. "You may go." "I had taken only one drink because | meeting house.

THE LATEST BOOK There has just been issued a new book by

titled the Latter-day Proph returning from Conferen non's Book Store, 11-12 Main St. ad-get a copy. Price 50 cents.

Beecham's Pills for stomach and live Stolds that Under Constitution Supreme Court Lacks Authority. 4118

PREACHING AND PUBLIC The application of Lars Hansen for a SPEAKING." writ of certiorari and order to show Of the 5,000 copies of this popular book published last year only three at cause directed against Henry H. Rolapp, judge of the Second district four hundred remain and the sat has decided to sell these through court and A. J. Anderson, was denied

rdinary agencies for Ch Your local agent will order t book for you or it will be sent posted. from the Deseret News Office. Cad. \$1,50; Half Morocco, \$2,00. The questions involved in this case were: Has the Supreme Court Jurisdicion to review by writ of certiorari the cision of district courts in cases ap-

SUNDAY SCHOOL SUPERINTENDES

Are your advanced classes pro Talmage's new Ch exceed its jurisdiction by overruling the motion to dismiss the appeal, and in book, The Articles of Faith call at the "News" office and obtain the special terms offered

> STOCKS, INVESMIENTS AND BONDS.

in cases appealed from the justices of the peace when the district courts ex-Utah Bank and Commercial Socia n other high grade investment scam bought and sold. Loans on stocks Dries paying stocks bought and sold. Investme orders from institutions, trasters of same ceed their jurisdiction and fall to do substantial justice. The court further finds that the district did not exceed its jurisdiction in the trial of the case of and capitalists will receive turilel Ja JOHN C OUTLER Ja ZMAIN Store

Hansen vs Anderson and therefore grants the motion to quash the writ. The oninion was by District Judge McCarty, Justice Baskin concurring. Chief Justice Bartch dissents and olds that the writ in the case should BUY THE GENUINE SYRUP OF FIGS have been quashed on the ground that the Supreme Court, under section 9, article 8, of the State Constitution, article 8, of the State Constitution lacks authority to review either b certiorari or appeal, a decision of district court, rendered in any case appealed to that court from a justice of MANUFACTURED EY CALIFORNIA FIG SYRUP CO. OF NOTE THE NAME.

the peace. Chief Justice Bartch further contends that such has been the uni-form holding of the Supreme Court since the adoption of the Constitution. A PARLOR ORGAN, \$25,00. L. E. SHAW ARRAIGNED.

set for hearing next Monday. In de-fault of \$200 bonds Shaw was taken to

LATE LOCAL NEWS,

DIED.

MOFFAT .-- At Vernal, Utah, April 5,

1900, Hannah A., wife of Robert N. Moffat, and daughter of William R.

and Emma Adkins, of Salt Lake, aged

Notice of funeral after arrival of

the county fail.

3'ears

A fine H-stop, 6-set resds, Parlot Orn with stood, in full tune and in good repair. bargain, 238 State Bives & Yous, Pleads Not Guilty to the Charge of

the In

An ex-

Obtaining Money Fraudulently. FOR SALE-MISCELLANEOUS. L. E. Shaw was arraigned before

WE HAVE ON HAND A COMPLE Judge Timmony this afternoon on the stock of saddlery, gasoline stor ators and graniteware. Al your The Co-op, Second Hand Stors, O. charge of embezzling \$35 from a man named Pearce. Shaw pleaded not

SALE OF UNCLAIMED BAGGAGE.

FOR SALE.

NOTICE IS HEREBY GIVES TRAT-Monday, May 14th, 1960, at a priors put, that day, and con to day until sold, inh Late ndersigned near nd Third South und third undersigned and sell at public and der for cash the follo of bacgage remaining session of the under-of six months from ut the place of its delive livery stored by the will be made for the the storage and care atored, and the rea-costs of such sale. Two sine tranks. (

e wooden trank 0 Two zine trunks in trunk. escope valises e names and

scope vallses. Anne house, one sko black vallses. Three house, one sko package books. Twenty-free jany of Four coats. One overcost. Indies' jackets. One hady, hael is half. One red leather grip. Chessing

Funeral services will be held Wednes-day at 12 o'clock at the Second ward COMPANY. COMPANY. COMPANY. By Geo. W. Helniz, G. P. & T.A.



No Appetite - "I could eat no breakfast and scarcely anything during the day. Since taking Hood's Sarsaparilla teristics peculiar to Hood's Sarsa-I am hungry all the time. Hood's has parilla, the great blood purifier. A cored my pimples, and improved my single bottle contains 100 does and general health." Gertrude Stoddard, mill lad a month multipathere area. Hood's Sarsaparilla Never Disappoints Peterson, Jowa. caused or promoted by impure blood. Remember

\$40,000, its alleged value.

Deihl is plaintiff's attorney,

Case is Argued.

The Blood at this season craves and eveloomes the purifying and entalian properties of Hood's Sarsaparilla, T grand medicine swonderfully cures Scr ula, Salt Rheum, Blood Poison Boils, Pimples and all other compla-

ora Mining company, or the sum of

