Kruttschnitt in his testimony at the hearing in August end was worth between \$75,000 and \$80,000 per mile. On this basis the judge showed from reports and statistics that the samings of the Union Pacific system for the fiscal year past were in excess of 18 per sent of the total volusition of the sentem.

2

SOME COMPARISONS.

SOME COMPARISONS A comparison was inside between the Denver & Ris Grande and the Union Pacific and Judge Day and that the testimony of the witnesses for the Rio Grande showed that no rational man could make any contraction between the two systems as the one is a local line, subject to ployated disabilities, and extra cost over the other, a trans-continental bigitows not subject to the disabilities of the first, and the Rio Grande, although boing shut out of the transcontinental bigitows at Ogden, pet according to figure accountin yet according to figures accessible all the sourcings of the road upon a valuation of \$10,000 per mile wer shown to be in excess of 4 per cent decom/hh which the judge said was not so had

In the matter of valuation of rights

In the matter of valuation of rights of was submitted by the two reads in point. Judge Dey said that the Union Parthe should not include the cost of their right of way, for it was doneted by the government. The said that it appeared to be the daty of the commission to establish such a basis of rules that every one in the great west should receive fair and just treatment from the railroads, as compared with those received in other localities. He said in his opinion the commission should take as the stand-ard for gaping rates the Union the point from the railroads and reading the said of the stand-ard for gaping rates the Union the continental line, and that other reads continental line, and that other roads be compelled to come to this basis

In concluding his address, Judge Dey shift the complainants did not seek any special privilege for any city or set of shippers in any part of Uiah, but sought simply a fair and just rate for the entire state. It is not our desire to be unjust to the railroads, but we do wani justice for Utsh shippers and equity for the railroads. We want to be absolutely fair to the reads, and desire in return that they give us fair treat-ment in the matter of just and equit-ble raise on the commodilies shipped. able rates on the commodifies ahippein over their mils.

DILLARD FOR RAILROADS. The argument for the side of the railroads was conducted by Judge F. C. Dillard, interstate commerce attorney of the Union Pacific.

Billard, Interstate commerce altorney of the Union Pacific. Judge Dillard said he had no wish to circumeribe the powers of the commis-sion in fixing rates, but he had some very pronounced views its regard to those powers, which were brought into the second second second second second prominence again by the complaint in this case. In his judgment the require-ments of this complaint did not seek a readjustment of any particular com-modity rate, but to effect a new scheme of rates. The complaint asks that the pacific coast and intermountain rates be based upon distance only. Judge pillard's contention was that as far as the establishment of any new scheme of gates was concerned, that would be beyond the powers delegated to the commission by the interstate commerces above that the commodity rates were intreasonable, was eviden in the re-interstate commerces act, which says that the commission had heard no evi-dence on this point, and the commer-tion for remarks were in accord with the interstate commerces act, which says that the commission shall have power to fix a reasonable rate for the service of the to be reasonable. rates been given they would have been shown to be reasonable.

WATER COMPETITION.

Judge Dillard contended that com-modify rates to Pacific coast terminalis are governed and fixed by water com-petition, and that the effort of the Sait Take shippers to induce the commis-ston to establish a scheme of rates on this basis must of necessity fail, be-cause they have no proof of the un-reasonableness of those rates. In reply to a question by Commis-sioner Clark Judge Dillard said that even if the Utah rates were three times as high as they are, water competi-tion rates should not in jusites be used

as high as they are, water competi-tion rates should not in justice be used tion rates should not in justice be used as a basis of comparison. "Recense," said Judge Dillard, "If you permit such 6 comparison, every time the question comes up you will be serving notice upon us that every time we meet water competition we are likely to have our rates to interior points reduced, even if we have met all water competition, at almost no profit whatever." The judge claimed that the powers of fixing rates, which may be confis-catory or reasonable, is legislative, and subject to review by the courts. Com-missioner Fronty asked if in Judge Dillard's opinion the commission should be allowed to use what information they had gathered in other cases, such as those of the Spokane and Reno shipas those of the Spokane and Reno ship as these of the Spokane and Reno ship-pers, in rendering their decisions with reference to the Salt Lake case. The Judge replied that he thought they were entitled to use the knowledge they had acquired, as their powors were largely construed to be legislative. At the hour of noon recess, at 1 clock, Judge Dillard had not con-cluded his argument. He will be fol-lowed by S. H. Babcock, who will close for the complainants this after-meets.

Watch Our Windows for Specials

Z. C. M. I. Drug Store carries only first class qualities. and in addition invites comparison of prices,

The specials displayed in our windows from time to time are money-savers-watch for them



Ragor Jack," who applied at head In the school as the whites. It is prob-able the school will be formed over to A. C. Nelson, state superintendent of public instruction, to be conducted under this department of the state. Watter Ruuke, Indian agent at Pan-guitch, has acted as preceptor in the school, and he has written the govern-or that he is ready at any time to turn the school over to his successor. quarters to be locked up. "It isn't safe for me to be at large; I want to be locked up." said Richardson as he pre-sented himself to the jailer at the coun-ty jail. His request was complied with Richardson and he had been drinking. and that he was "afraid of himself" at such times, and asked to be taken care of until he regained his normal condition.



Yesterday Morning's Blaze Was at Baron's Store in State Street.

Through a typographical error in yes erday's issue of The News, a letter "C' having crept in inadvertently, it was stated that a fire had occurred at Rarton's store in State street. The re-ports should have read at "Baron's clothing store in State street."

LAST SUNDAY EXCURSION

Of the season to Ogden via Oregon Short Line, Sunday, October 31st, Round trip \$1.90. Choice of 1% trains. 31st.

FUSION RALLIES.

Uintah Training School and at Thirtysecond Ward Amusement Hall.

The Citizens-Democratic party held a ally last night at the Ulotah Training school which was well attended by an appreciative and enthusiastic audience. William R. Wallace, candidate for may-or, made a short speech and then hur-ried on to the next meeting, which was held in the Thirty second ward arouse-ment hall. George Q. Morria, George E. Burbidge, E. Conway Ashton and Willard Done also spoke to the audi-ence in the training school building. Mr. Wallace entered the meeting in the Thirty second ward amosement individe one of the speakers was talk-ing As soon as be appeared he was chool which was well attended by an

ing As soon as he appeared he was applauded and he was called on to appeals. After he had made a short talk there he was rushed away in an auto-mobile to sitend two other fallies where he was scheduled to speak. The other speakers at the Thirty-second ward amusement hall were C. B. Feit, H. J. Fitzgerald, Ashby Snow and L. E. Hall.

LAST SUNDAY EXCURSION Of the season to Ogden via Orago Short Line, Sunday, October his Round trip \$1.00. Choice of 18 trains. alse.

"GOOD-BY" SUMMER.

DESERET EVENING NEWS FRIDAY OCTOBER 29 1909

owner understands the talent in him, and hr. Williams seems to understand him, will thoroughly. The mast ambilious and entirely measured effort was the Dream So Fair. from Masseutr's Herodiade. But he was greed all the way through attention being called step to the bright, vivacious scav in which be sing. The Some of the Carsily Saber, by Grant, Mr. Williams has a fine stage presence, and created a favor-able impression from the start. He ex-plained the character of the scames as they cocurred in hirtof description. Here to Miss Thyle, proving Realmer's "Hungarian Lense No. 5 and Doorak's "Butmorenene". Mr. Williams and a studio for yocal instruction in the rempleton building Menday next. STATE OF UTAH OWNS SCHOOL FOR INDIANS Torough the Influence of Senator Reed Through the influence of Senator Reed Smoot, Utah now owns the Panguitch school for Indians, Gov. Spry,

FOUND DYING ON FLOOR.

Justice Hanks Will Investigate the Strange Death of Mrs. Ethel Farr.

The Panguitch school is near the Stanley Hanks, justice of the peace town of Panguitch, in Garfield county, intends holding a strict investigation of In 1903 William Cameron deeded to the the death of Mrs. Ethel Jane Farr, which occurred yesterday afternoon at her residence, 440 west Eighth South government 150.93 acres of hand for an Indian school, and on the property were created by the government a sobod building and several other smaller structures. The school has been open for white children and Indian children her residence, 440 west Eighth South street, under auspicious sirounstances. Justice Hanks is waiting for the report of Dr. Stewart, the city physician, be-fore ordering the investigation. It was thought that she was probably stricken with heart failure, but Drs. Chauncey Benedict and Parley Musser, who ex-amined her, found no signs of heart disease. for white children and findian children alike, but not many white children have been sent there. The attendance of In-dian children has varied from 15 to 30, and the only requirement made of the state in the transfer is that the Indian children he allowed the same privileges in the school as the whites. It is prob-able the school as the virtues over to Mrs. Farr was about 3 years old and

Mrs. Farr was about it years old and was in a bealthy condition. She was visiting her mother, Mrs. Sarah Drury, at 445 west Eighth South, about 4:15 yesterday afternoon, and was found by her mother about an hour later on the floor of her own home, 440 west Eighth south, in a dying condition. Her hus-band, who works at the Western Fur-niture store, had left the house about 2 oktock, and Mrs. Farr had done some scrubbing later. When found froth was coming from the mouth, and it was was coming from the mouth, and it was thought that she may in some way have

swallowed poison.

OGDEN CHOIR HONORED.

(Special to The News.) Ogdon, Oct. 28-Hon. Fred J. Kiesel Waterworks Committee Approves is in receipt of a dispatch from people onnected with the great National Farm Land congress which holds its essions in Chicago next month, askresolution of President A. J. ing the best terms on which the Ogden Davis, intraduoed at the last seaston of tabernacle choir would visit Chicago he city rouncil providing for the apon Nov. 16, and render McClellan's eroval of the idans, maps, plats and Irrigation Ode. Mr. Kiesel at once pecifications of the city engineer for communicated with the choir manageenlargement of the East Jordan ment, who said it would be possible to send 200 voices if satisfactory arrangements could be made. The dispatch to Mr. Kiesel stated that the Chicago Tribune would stand the expease if arrangements could be cleared Mr. Kieset is now telegraphing for further details.

RENDEZVOUS OF ROBSERS.

Old Anderson Hospital Frequented by Suspicious Characters

That the old Anderson hospital build ing at the rear of 254 Third East street s a renleavous for thieves and hold up men is the belief of residents of that locality. Thursday morning an intexicated man was slugged and held up on the lawn of D. E. Moore, who lives at 254 Third East street, according 15 Mirs. Mosco who witnessed the holdup. It was about 5 o'clock in the morning and Mirs. Noore had risen early and had gone to the front versands for the paper. "When I went to the froh: door," said Mirs. Moore, "I saw this door," said Mirs. Moore, "I saw this door," said Mirs. Moore, "I saw this men appeared to be taking white paper from the pockets of the *t*'5.'d, and I know they were holding a man up. I then heard a blow and one of the men foll to the ground. The other 150 men ran, one of them across my lawn. I icated man was slugged and held up Preparations to Receive President ran, one of them across my lawn. I called to him, but he only turned and shouted to his companion. Beat it, Joe, they're wise to us. I telphoned the pc-General of Daughters of Revolution.





New York, Oct. 29.-Jim Jeffries and Jack Johnson met this afternoon and agreed to box for the heavyweight championship before the club offering the largest inducements, bids for the fight to be submitted before December l, to Robert S. Murphy of New York. The fighters agreed that each bid must be accompanied by a certified check for \$5,000

Jeffrice and Johnson agreed to fight "45 rounds or more." It was sgreed that the purse should be divided 75 per cent to the scinner and 25 per cent to the loser, each righter to deposit new \$5,000 as a forfeit and an additional \$5,000 to go as a side bet.

New York, Oct 28.-Unless an unex-pected hitch occurs, James J. Jeffrios, retired champion of the world, and Jack Johnson, the negro heavyweight littleholder will have their signatures affixed today to articles calling for a battle for the premiser title of the fixth arena, some time next April before the club offering the largest pure. The two pugilists and their managers were scheduled to meet this afternoon at an uptown hoter to frame up the

were scheduled to meet this afternoon at an uptown hotel to frame up the fighting agreement. Between heaves of a medicine ball in a local gymnasium Jeffries said today that the articles should be easily fixed up, as he did not know of any points on which there was likely to be any trouble.

was likely to be any trouble. "I'm ready to fight and Johnson says he is," said the big bollermaker, "and that's more than half of the match-making. We should arrange to meet in April: that would give me three months to do a little stage work and let the public see my condition and then 1 can have three months to train for the boat for the bout.

"I suppose the fight will be held in California. That at present seems the most likely place." Jack Johnson was out fairly early to-day flying around the city in a big

touring ca 'So Mr. Jeffries wants to wait till

So all, Jennies wants to wait the April," said Johnson, emiling, "Well, that's a long way off, but I'm willing if he wants to take that long, but I want a big forfeit put up. I think about \$5,000 would be right.

"T'll keep in trim through the winter by doing a little light training. Yee, California would suit me as well as any place to fight Jeffries."

John I, Sullivan has telegraphed from Thiosgo, saying he would offer to ref-tree the Jeffries-Johnson fight without the American public an honest and enriess decision

John L. Sullivan always refused to must a colored man." said Johnson, "but he was always on the level. I'm ready to accept him as a referee if Jeftries is willing.

UNIVERSITY NEWS

Increased attendance at the lay school this year has necessitated the addition of two more instructors. Judge C. W. Morse has been engaged to teach "Wills, Administrations and Estates," and Elias Conway Ashton will have charge of the study of "Domestic Relations and Persons.'

The boys of the sophomore class met yesterday afternoon and repainted the score board on the football field, so that it will be heady for the first game.

The prospective members of the uni-versity band met yesterday and par-tially completed their organization.

LATE LOCALS

his office, until instructions arrive from Washington. The subdivisions for the taking of the cenens have not been made in Utah. The government pays 3 cents a name in thickly

"I Don't Care About Wool. I Want Style"

That's what a young fellow said in my store the other day. In less than a minute I had changed his mind.

For I told him what you probably know already_ that, unless a suit is all pure wool, it will not wear well and it simply cannot be made to hold and keep its style.

My Goods Clothes

Then I tried one of my dashing suits on him and showed him the Signed Guarantee that it way all pure wool. He bought the wool and yet they sell at the same prices as common clothes-\$10 5 \$40.

These are the most remarkable clothes I've ever seen-they have so much style, they are honestly all

Most of the men in town hav

found out about my good clothe and they are selling fast. Don' let a good thing like this get awa from you.





To Boys and Girls making their purchases here Saturday.

If you guess Mr. Robinson's age he will give you in addition to fitting you free with a pair of Rubbers a nice pencil box and rules combined. To help you, will say he was born in 1859, now how many years of age is Mr. Robinson? Don't forget: We celebrate only two days our double birthday-21 years and ? years.





Smoot Panguitch Institution

Is Turned Over.

Thursday, received a letter from the department of the interior at Wanh

ington, sportsing him that the land

had been turned over to the state, and

that a deed for the premises would be

given the state within a short time.

NOT WORRYING ABOUT

FINDING THE MONEY

Plans for Enlarging East Jordan

Canal at Cost of \$90,000.

presidential of the city engineer for the eningreement of the East Jordan rank from the Narrows to Little Coty for the point to Parley's exceed was taking on the point to Parley's exceed was taking on the resonantite of the eningreement of the resonantite o

RECEPTION TO MRS. FITZ.

Great preparations are being

RAZOR JACK WAS AFRAID.

The county Thursday gave shelter to Jack Richardson, better known and

GARDNER DAILY STORE NEWS MAIL ORDERS PROMPTLY FILLED Weather Forecast. Tonight generally fair and Saturday cooler. **CoolerWeather**

Means Winter Clothes

dicts cooler weather. At any rate a cold wave may come at any time.

And many will be eaugh? unprepared.

Which prompts us to call your attention to ? Gurdner Raincoats, Overconts, and Topeoats. We've a surprisingly large assortment in the 3 smartest styles.

Topcoats, \$10 to \$35. Overcoats, \$7 to \$40. Raincoats, 810 to \$35. "It pays to buy at Gard-DCI S.

We Are Opposite Our Old Stand.

OHE J.P.GARDNER PRICE CONTHE QUALITY STORE en manunum manunum

Weather Man's Predicted Storm Arrives on Schedule Time.

The last of Indian summer apparently drifted into the past tenso Thursday. ly drifted into the past tense Training, with the maximum thermometer at 12 degrees, which was decidedly warm for this time of the year. A strong wind blew in from the west toward morning, bringing with it colder weath-er and all of an inch of rain. How-ever, the skies cleared up toward noon, and the indications point toward fair, but cooler weather for Saturday. The storm conter passed over to the far-morth, thus giving Salt Lake the "tell" torm conter passed over to the fa ings." The atmosphere could hardly be clearer this afternoon, objects at a great distance being noted with marked distinctness.

distinctness. The existent high occupies most dis-irlets east of the Misrissippi river with its center over the Ohio valley and loke region, maintaining tomperatures ho-low roymul. The northwest low new overs the greater portion of the coun-ry west of the Mississippi except that ornia, and has exceed higher tempera torise and the southern slope and rain b three on the worthwest. An area w high pressure is coming in on the California coust, attended by fair an-cooler weather. With the exception of tain in the northwest, the weath

that it is hurder to "bust" the city or-dinances than it is to ride "Steam-boot," the famous bucking equive said to have been sublued by Stanley at Chrysmer recently. Stanley has a part in the wild west show at the Said Palace and ch Friday evening be observed two youths, W. C. Frederlehem of 755 Main street and I. R. Wallace of 129 Bueno ascaue, perched in a tree satisfing the show. To disclude the boys it is sold, Stan-ter hurled states in them, infloting pumerous a its and brites. Stanley who are the charge of battery, but itter furnished \$100 batt for the ap-percine in the criminal division of the city court

BRONCHO BUSTER ARRESTED.

Dick Stanley may be a great broncho

buster, but he tearned Friday evening

that it is harder to "bust" the city or-

YOUNG KOREAN ROBBED.

icon: a Roreau hos who attends the usia sesaion of the t'nion school, was ret upone to a name of youthful houd-income in mercard South stread between Main and State streads have Weilmonday even, and after being bester was reflexed of H3 which he had sayed to interfuse books. Uries of 'Still the Jay' were beard and the brutes pounced upon the belpiese forciarne. A newshoy table to interceds' saying. 'He's ne Jap, he's a Korean,' but the things fromeed the boy down and rifted his clothes securing the M5. The police is do no steeppl to dimensive the pospe-tradous of the outrage. set upon he a gang of youthful hood-

A private anise may be rented in the fire and hurgher-proof vanities of the Said Laws Scenarity & Trunt Co., 32-34 Muin street, \$7.00 pcg year.

VOCAL RECITAL.

Ampreciative Amilience at First Congregational Church Last Night.

The complimitary would residual plots characterized by the plots of the plots by the plots of the plot of the plots of the plots of the plots of the plot of the plots of the plot of the plots of the plots of the plots of the plot plots of the plots of the plots of the plots of the plot plots of the plots of the plots of plots of the plot plot of the plot of the plots of power. It is plot plot a plot of the plots of the plots of the plot plot of the plot of the plots of the plots of plots of the plot plot of the plot of the plots of the plots of the plot of the plot plots of the plot of the pl PT'ELE! formalimetary vocal

made for the reception in this city of Mra. lice but it was a long time before any Adelino F. Fitz, president general of the

Last Sunday night Thomas W. Holmes, vice president of the King Browning Hardware company, was held up at the same place, the high-wayman securing his watch and \$2. The pobler said he had no use for the Daughters of the Revolution, who will arrive in this city Thursday, Nov. 11 and who will leave the following Sunand who will leave the following Sun-day to continue her trip, which extends as far wost as Utah and as far south as Louisiana. Mrs. Fit's horne is in Wakefield Mans. This is the first visit a president general of the society has ever made to Utah and great prepara-tions are being made to make her an-testalument notable. Resent Mrs. Alice Marrill Horne has appointed the follow-ing women on committees to plan for the reception: Mrs. E. C. Willey, Julia A F. Land Mary E. R. Webber, Clar-land S. Williams, Phoebe Y. Heatte, Mrs. E. B. Wells, Myra Y. Rossiter and Catherine Wells. It is expected that the complete plans will be ready within three or four days. watch and threw it on the ground. ------

A private safe may be rented in the fire and burglarsproof yould of the sait Lake Security & Trust 450, 22-34 Main street, \$2.00 per year.

POLITICAL NOTES.

The Republicans will hold a smoker in their headquarters Saturday high: Refreshments, including punch and andwiches, will be served. James D. Mardoch candidate for mayor, and others will make brief talks.

A Scandinavian rally will be held next Monday night in Odeon hall by the Republicans. The spankers will be Gov. Spry. Senator George Sutherland James D. Murdoch Axel Siecie and Partey Jensen. Refreshments will be Partoy Jonsen. Refreakments will be served and dancing will be indulged in after the speches.

FEWER INSANE.

Utah Now Has Less Demented People Than Six Years Ago.

There are fewer invane muple in Utab now than there were gla years ago, and this in mits of the model meawile in-Stails population, according to Dr. D From's population, encording to Dr. D. II Caldier, superintending of the shale mental hesploid at Preve, who is in Kall Table City on husiness and visited the city and cruinty building this mercing. At this present time there are 25 in-mates, which is the increast tumber since six search and, when there were 36s. The design of the term of the search that the data meshal neghtal receives many could present from the county infirm-tive. These are now only is patients by the demartment for the freeho-minutal RUMOR OF KNUTSFORD SALE. Present Lease Runs Three Years and No Credence Is Given Report.

There has been a rumor current for a day or two that the Knutsford hotel lind been wild by the estate of the late dylarster Countingham of Oloucester, Main, who was its owney. However, there is listle likelihood of this, as G. S. Holmos has a lease running mariy is three years longer, so that even if the hotel was sold, it could not be for delivery until sfirst the explication of the lease. The estate is trying to dis-puse of the various properties of the states, which is now being exclusion. estate, which is now being probated but it will be several years before this can be done owing to leases which tie my various parcels of real



estate.

The short Line is experimenting all points ou its fines with the telephone as a means of conveying orders. A device is used in connection with this service which makes it impossible for one sta-tion to talk with another without first callog up beadquarters. Is this way, all generic is out ont. The Banta Fe has equipped two of its divisions with tole-phone service, and the Rio Grande uses it in the mountains.

On Exploration Trip-Dean Cum-mings, of the University of Utah, will go to Southern Utah tonight to exgo to Southern Utah tonight to ex-plore canyons and make excavations around Oljato,

Second Generator Installed-The second great motor-generator pur-chased by the Utah Light & Railway company will be all in position by company will be all in position by Monday, and ready to run a day or se later

Condition Critical-The condition of M. Shaughnessy, who was taken to the Holy Cross hospital last Wednesday suffering from pneumonia, was report-ed to be critical this morning. He is being attended by Dr. T. H. Mona-

Vogeler Astonished-A. H. Vogeler has returned from a business trip to southern Idaho which he reports is forging ahead with a rapidity nothing short of astonishing, Towns seem to be springing up where loast ex-pected, and railroad lines are being being xtended in many directions. The crops are all good.

Stirring Tim Up-The state food Surring Em (p-) the state food commissioner went to Ogden Thursday ovening, where he discovered unba-genic conditions in a number of restaurants. He notified the proprietors that it would benefit their health if these untoward conditions were recti-fied. The desired improvements will be made. be made.

Hazy on His Geography-Secretary Forks of the Real Estate association received a letter of inquiry today, from a South Dakota man, asking to be in-formed as in general land conditions in the state if Utah, and such facts as could be given about the Humboit river country. As the latter region is much nearer California than Utah, the examine state from the facts searcher after knowledge must look further for this particular bit of incormation

Many Applicants-Census Director McMillin, who covers Utah, says that he will not be able to consider the numerous applications for the position of consus taker which are coming inte



HONEST WORK HONEST PRICES

estruction of toeth no pay. All work guaranteed.

REMEMBER We Treat You Right



5