

"To him who watches everything is revealed." This includes all sorts of "want ads, bargains" to those who "watch" the want ads, day by day.

DESERT EVENING NEWS

10 PAGES—LAST EDITION

WEDNESDAY MARCH 6 1907 SALT LAKE CITY, UTAH

HISTORIAN'S OFFICE
CHURCH OF JESUS CHRIST
OF LATTER-DAY SAINTS.

The French say that "Nothing is a footless stocking without a leg" and that is about the only thing you cannot buy or sell through advertising.

FIFTY-SIXTH YEAR

THAW'S REVER GIVES EVIDENCE

She Breaks Down and Cries as She Tells Story of Changes in Her After Trip to Europe.

N. Y. MAN RUINED HIS LIFE.

Dr. Wagner Said Didn't Believe Thaw's Mind Clear When He Was Married.

When He Shot Stanford White Had No Idea That He Was Committing a Crime.

New York, March 6.—Mrs. Wm. Thaw was the first witness called after the luncheon recess. Mrs. Thaw said she noticed a change in her son when he came to Pittsburgh in 1903. He was absent minded and apparently had lost interest in life. Mrs. Thaw broke down and cried while narrating the change in her son following his trip to Europe with Evelyn in 1901.

In explaining his changed condition to her, Mrs. Thaw said Harry told her "the wicked and the man in New York had ruined his life."

Mrs. Thaw, after recovering from her first breakdown, seemed about to weep again and could not proceed. Justice Fitzgerald relieved the situation by ordering her testimony up to that time read to the jury. It had been given in a voice too low for the jury to hear.

In arguing on an objection by Dist. Atty. Jerome M. Delmus said he would invoke the rule of the law that Thaw, being insane in 1903, continued insane in 1904.

"If that assumption is sound," said the district attorney, "there is no reason to believe this defendant is not insane today and it becomes the duty of the court to suspend the trial."

Jerome said he was not suggesting the appointment of a commission in lunacy at this time, but was advancing the point as an argument on the question as to whether Mrs. Thaw should be allowed to repeat all conversations with her son.

Justice Fitzgerald overruled Mr. Jerome's objection to Mrs. Thaw, telling conversations with her son in 1904.

Mrs. Thaw said she laid down one condition as to the marriage—that Evelyn's past life should be as a closed book—never to be referred to.

"Battling" Nelson, the pugilist today was the center of attraction in the court where Harry K. Thaw is on trial for his life. The pugilist occupied the entire attention of the spectators up to the time the defendant was called.

Dr. Wagner, who has been under examination since the luncheon recess, was again called to the stand and Dist. Atty. Jerome began to ply him with questions regarding Thaw's mind and conduct.

Dr. Wagner said he believed that when Thaw wrote the section of the will providing for a fund for the prosecution of any one who might take his life, his mind was sound and he did not have as clear an idea of such matters as a man who was wholly sane, but should be able to appreciate that the taking of a human life was a crime.

"Doctor, when this defendant stood up to be married on the same day that will was signed, did he know what he was doing?" asked Jerome.

"When Thaw was married," Dr. Wagner said, "I don't think his mind was entirely clear."

"Was it clear enough for him to understand that he was getting married?" "Yes, he understood it."

After questioning Dr. Wagner regarding the letter written by Thaw in 1903 to Atty. Longfellow, Mr. Jerome suddenly asked:

"Was there any period between 1903 and 1904 when this defendant was in full possession of his faculties?" Dr. Wagner hesitated a moment and then replied:

SPRING THINGS ARE HAPPENING

Harriman is Believed to Have Joined New Jersey Central's Stockholders.

READING MENTIONED ALSO.

Officials of Both Companies Cannot Verify Transfer of Holdings to Mighty Railroad Magnate.

New York, March 6.—An unverified rumor that heavy holdings of Reading and New Jersey Central stock has passed under Harriman control, which gained wide circulation today, resulted in a sharp upward turn in Reading stock this afternoon. According to the report, the big block of stock which changed hands represented the H. C. Frick interest in these two companies. The story could not be verified, but despite this the quotations of Reading were marked steadily upward as the rumor spread, reaching 125 at 1:30 o'clock, a clear gain of 11 points from the low point of the day. Other stocks which had been moving feverishly during the day, began to follow Reading toward the top. In the next 15 minutes Reading declined to 122.

Philadelphia, March 6.—At the office of the Philadelphia and Reading in this city, it was stated that the officials had heard of the rumor but knew nothing about the passing of the company to Harriman control. A high official said that transfer books do not show such a change in ownership.

TAFT MUST FACE THE COCKFIGHTING PROBLEM.

Washington, March 6.—One of the questions that probably will confront Secy. Taft upon his arrival in Cuba in the course of a few weeks will be the propriety and policy of abrogating Governor Wood's decree forbidding cockfighting in Cuba. An overwhelming majority of the Cuban themselves demand the right to fight their chickens as they have done for many years.

When the sport furnished the Cuban laborer worked four days a week to support his family, he was paid for the day's work and the rest of the day he was free to do as he pleased. Now that the laborer and cockfighting have been stopped, the laborer has no means of support.

Probably Secy. Taft will adopt the expedient of permitting cockfighting outside of Havana, where it is so popular, just as he did in the Philippines to the satisfaction of the natives and their employers.

The separate acts of the defendant that night indicated insanity.

"Would your opinion as to the defendant's mind be influenced if you knew that he had taken a large amount of liquor that afternoon?" "I would want to know how much he had taken," Dr. Wagner replied.

"Men who have been insane are still susceptible to liquor during lucid intervals, are they not? There is nothing in the defendant's case to indicate that he was immune to the effect of liquor, is there?" "Nothing that I know of."

"Is there anything in the hypothetical question that enables you to tell whether the defendant was insane or drunk?" "There is nothing whatever in the question to indicate intoxication, much less insanity."

Dr. Wagner explained that the mild, slow and measured tread, the staring eyes and deliberation of the defendant at the time of the tragedy were not indications of alcoholism.

Mr. Jerome then took up each of the facts as given in the hypothetical question and asked the witness if each one might not have been due to insanity.

Dr. Wagner said there was no act that might not have been performed by a sane man.

"A sane man can do anything he likes," said the witness, "provided he has the capacity. An insane man is incapable of doing things which he cannot help."

"You mean an irresistible impulse?" "Yes, that is all."

Dr. Wagner started to explain but was stopped by Mr. Jerome, replying "that is all, doctor."

Mr. Jerome said down, but in a moment he asked the witness if he had a few more questions to ask.

HARRIMAN'S VISIT TO WASHINGTON

Wants to See What Prospect is For Drastic Anti-Railroad Campaign Next Congress.

SEEMINGLY IS NOT ALARMED.

Prejudiced Public Sentiment Has Been Created by Both Parties for Political Purposes.

Chicago, March 6.—A special to the Chronicle from Washington says: E. H. Harriman is here to see what the outlook is for a drastic anti-railroad campaign in the next session of Congress. Since Mr. Harriman has been here he has met practically every one of the leaders of the senate, aside from calling on President Roosevelt and on the interstate commerce commission.

Questioned whether he did not believe the commission would seek for more power over railroads, he said: "I should judge from the hearing at New York or rather, inquisition into it is the purpose to impose further restrictions on the railroads of some kind or other. I am not at all alarmed."

"But these things will come out all right. Everything that the commission gave a twist to, will straighten itself out in the end. The people will come to understand the situation. There was nothing done that has not benefited the people. I am not considering Wall Street, but I think that in case of considering the general public that the various lines and the figures show that what I say is true. Everything that was done by the New York inquisition showed this."

"A prejudiced public sentiment has been created for political purposes. It is created by one party as well as the other. There is a lot of buncombe in this whole business. One party will appeal for an act to increase shippers to control and stop the development of railroads. The other side will the appeal for an act to take over the railroads under government ownership."

S. P. TRACK SUBMERGED.

Los Angeles, Cal., March 6.—Advices at the Southern Pacific's general offices here from the vicinity of San Jose state that yesterday's storm produced high waves on the inland sea, causing a portion of the railroad company's tracks to be submerged and causing some damage. The trains were delayed yesterday on that account but they were moving both ways again today on regular schedule and the damage to the tracks has been repaired. The storm has entirely subsided and the sea is again quiet.

OFFICERS ARE UNABLE TO LOCATE ABE RUEF.

San Francisco, March 6.—When Judge Duane received a report that a man named Abe Ruef was in the city, he immediately ordered Sheriff O'Neil to report that since the defendant had been in the city, he had been seen by a man named Asst. Dist. Atty. Kenney thereupon asked to have the defendant located. Mr. Ruef, however, has been in the city for some time and before a ruling was had on this motion, Judge Duane began an inquiry into the matter. He asked the sheriff to report that since the defendant had been in the city, he had been seen by a man named Asst. Dist. Atty. Kenney thereupon asked to have the defendant located. Mr. Ruef, however, has been in the city for some time and before a ruling was had on this motion, Judge Duane began an inquiry into the matter.

As a result of the charge of intoxication made by Asst. Dist. Atty. Kenney against Superior Judge Hebbard who, on Monday, granted a writ of error to Abe Ruef, the defendant in the case, the matter, Judge Hebbard now is at the Clark Hotel, under the care of a physician and a nurse.

When court resumed Atty. Kenney questioned him regarding the stand and asked him if he had seen the defendant. He said he had not seen the defendant but that he had seen the defendant's car.

During the recess Judge Duane asked that if it were found that the sheriff had failed to locate the defendant, he would leave it to the discretion of the court to punish the sheriff or anyone else.

TOURIST FLOURISHES GUN.

Insane Man From Rhode Island Picked Up by Police.

Shortly after 2 o'clock this afternoon a man approached "Billie" McKelvie, of the Bon Ton theater, on the street, flourishing an automatic Colt's revolver, which he thrust close to McKelvie's stomach, exclaiming, "What do you think of that?" The man thus accosted coolly replied, "Oh, that's all right. I'm not afraid of you."

McKelvie entered into conversation with the man, and finally persuaded him to put the dangerous weapon out of sight. The man was followed, and a moment after the peculiarly acting person had turned away, he was approached by Detectives Shannon and Chase, who ordered him to hold up his hands. Up went the hands and the man was relieved of his weapon and marched to the police station.

The fellow gave his name as G. B. Roberts and said that he was from Rhode Island. The most of his conversation was about his wife, who he said died a short time ago. Her death seems to have unbalanced his mind, and he had been drinking heavily. He is well dressed and well appearing. He wanted to know why some of the policemen did not put him out of his misery. Roberts is detained at police headquarters.

TWO MORE DEATHS ON COPPER BELT

Engineer J. C. Lynch and Fireman E. O. Wyatt Killed in Bingham Canyon.

ACCIDENT THIS MORNING.

On Same Line Where Representative Taft and Clint B. Leigh Went to Their Doom.

Faculty at Four O'Clock Near U. S. Mining Company's Bridge—Both Bodies Recovered.

(Special to the "News.")

Bingham, March 6.—A bad accident occurred on the Copper Belt Railroad at 4 o'clock this morning which resulted in the death of J. C. Lynch, engineer, and E. O. Wyatt, fireman on the runaway train and the injury of two of the train crew, F. J. Phillips and J. W. Fry.

The accident occurred near the United States mine bridge on the branch line of the D. & R. G., commonly called the Copper Belt road and near the place where Representative Taft and Clint B. Leigh met their deaths about 10 days ago.

In this case, as in the numerous previous accidents of a similar character, some carloads of ore got out of control and the train proceeded down the canyon at an increasing high rate of speed. The engine eventually left the track and rolled some distance, becoming a total wreck.

The two injured men were sent to Salt Lake on a special and taken at once to St. Mark's hospital. Phillips is badly scaled by the face and hands, while Fry is terribly bruised. Unless complications set in both men will recover.

Since the Copper Belt was first opened similar accidents have occurred at frequent intervals on this small stretch of mountain track until the list of killed and injured from runaway cars has grown to such proportions that, for its length, the Copper Belt holds the undisputed record of being the most dangerous line in the State of Utah, for nearly every curve is a "Dead Man's Bend."

FOOTBALL.

Pres. Eliot Says It is an Undesirable Game for Gentlemen to Play.

Boston, March 6.—President C. W. Eliot of Harvard University, in his annual report, which will be presented to the board of overseers this week, maintains that football, despite new rules, remains an undesirable game for gentlemen to play, or for the purpose of training the mind. President Eliot declares that football is properly described by the adjective "barbaric" and that it is a game which encourages violence in causing or receiving bodily injuries is fit for college use. Basketball and hockey are placed in the same class with football, and President Eliot advises that intercollegiate contests in any of these games be between teams made up at Harvard. He also declares the "excessively brutal" nature of the present intercollegiate contests as "absolutely unnatural."

STROTHER BROTHERS MAY KNOW THEIR FATE TODAY.

Culpepper, Va., March 6.—By late today James and Phillip Strother, charged with the murder of William F. Byrnes, probably will know their fate. It is not thought that the jury will be long in reaching a verdict.

Atty. Moore this morning, for the defense, presented the legal phases of the case in support of the plea of insanity, claiming that the crime of murder was committed at the time of mental derangement at the time of the shooting, condemning that the brothers acted on a sudden, uncontrollable impulse, and that they were not responsible for the crime.

John Lee will follow with the additional plea of justification as contained in the "written law."

The two defendants still retain the remarkable composure that has characterized their attitude since their arrest.

STREETCAR ACCIDENT.

Ten Persons Hurt in One in Louisville.

Louisville, Ky., March 6.—Ten persons were injured, two seriously, in a collision between street cars today. The seriously injured are J. W. Pfeiffer and Henry Guckes. A Shelby street car struck a Chestnut street car in the center, breaking it almost in two.

AN UNFAITHFUL WIFE.

Husband Unexpectedly Returns Home and Kills Wife and Paramour.

Indianapolis, Ind., March 6.—Mrs. Fred Schwoninger was shot today by her husband, who had been away for some time, and his paramour. The men had for years been close friends.

FRANK T. CAMPBELL DEAD.

Lima, Ohio, March 6.—Frank T. Campbell, formerly lieutenant-governor of Iowa, died here today.

FIRE ON THE VANDALIA.

New York, March 6.—Damage from a fire at sea amounting to fully \$250,000 was reported by the German steamer Vandalia which arrived here today from China and Japan. The fire started in the Vandalia's hold on the afternoon of Feb. 25 and was subdued only after the hold had been completely flooded with water.

BET GROWERS AND SUGAR CO. CONFER

Utah County Farmers Ask for Changes in Contract.

PLANTING HEAVIER THAN EVER

Indications Thus Far in Utah and Idaho Point to an Increase Over Last Year.

The planting of beets throughout Utah and Idaho will be commenced within the next 30 days, and the contracting for acreage between the farmers and the several sugar companies, has now progressed so far as to make it probable that last year's phenomenal record will be equalled and in some districts surpassed. Already the farmers who grow beets for the factory at Lehi have signed up heavily and the agents of the company are securing new contracts each day.

In only a few districts, like those contiguous to the Spanish Fork cutting station and a part of Springville, is there any likelihood of a reduction in acreage. This is due to a dissatisfaction on the part of some of the farmers regarding the terms of the contract. The farmers sent a delegation to the city to confer with General Manager Cutler, and they have had several sessions for the past two or three days.

The farmers desired a change in two points, that, that be allowed to continue the use of the beet knife with the book attached, to which the sugar company this year makes a requirement of all growers, and, second, if necessary, the farmers shall sell 10 percent of their beet crop, that is, store the factory to deliver them, and this the growers objected to.

The committee representing the farmers consisted of W. O. Green, A. T. Money, Benj. Arger of Spanish Fork, Frank Boyer and Thomas Menclien of Springville, John H. Lee, Mapleton, and George Lee, Provo. They represented the beet growers of the county, insisting that the discontinuance of the use of the hooked cutting knife, and the requirement of the beet crop to be sold to the factory, would entail hardship and exorbitant losses through lateness in delivery and the extra labor necessary.

On behalf of the sugar company, Manager Cutler stated that it was impossible to accede to the request of the farmers. He showed facts and figures, demonstrating the loss the sugar company had sustained by the use of the hooked knife, not only were the beets damaged, but a large amount of dirt was left clinging to them, and this dirt was weighed up against the sugar company at an enormous loss.

The company's losses during the past year, during a heavy season like last year, had amounted to a very large figure.

Regarding the selling, Manager Cutler said that the sugar company was willing to pay an additional 25 cents per ton on all beets sold, but that it was imperative that the company should have the right to call on the farmers to hold back this small part of the crop, in case the weather should not take care of the beets. He pointed out that in Colorado the farmers were insisting on having 25 percent of the crops stored, and that in Germany no factory ever thought of receiving beets from the farmers until it was ready to handle them.

The farmers' committee returned home last evening to report the result of their conference with Manager Cutler.

FERRY RESOLUTION.

Mayor Approves Proposed Pledge to Legislature Regarding Tax Levy.

Mayor Thompson today approved the Ferry resolution adopted by the council on Monday night. The resolution provides for a petition to the state legislature asking that a law be enacted permitting the city of Salt Lake to levy a tax of not more than three mills for the purpose of interest on the bonded indebtedness of the city and for the purpose of the redemption of the bonds. It passed the council after a hard fight by a vote of 5 to 4, all the "A" men voting for it.

COAL LAND CASES.

Amended Complaint Filed in U. S. Court Against Milner Estate.

An amended complaint has been filed in the case of the United States against Truth A. Milner, executrix of the estate of Stanley B. Milner, deceased, Truth A. Milner, Samuel H. Milner, the Carbon County Land company and Peter S. Campbell. A bill against the same defendants was filed in the U. S. court at Salt Lake on Jan. 7, 1907, but the papers were not served.

The case involves the title to certain lands in southeastern Utah, which, it is alleged, were secured by the defendants in a manner contrary to provisions of law governing such matters.

PATENT FOR EUREKA MEN.

(Special to the "News.") Washington, D. C., March 6.—Patents issued: Utah—Benjamin N. Lehman, S. P. Cook and J. Robertson, Eureka wrench.

Wyoming—Frank A. Rockwith, Evanston assignor of one half interest to T. W. Jones, Salt Lake City, U. S. safety device for fire arms.

NEW MINING COMPANIES.

Lead Hill and Hecla Mining & Milling File Articles Today.

The Hecla Mining & Milling company of this city filed its articles of incorporation with the county clerk today. The capital stock of the company is \$100,000, divided into shares of the par value of \$1 each. H. P. Clark is president, W. H. Shearman, treasurer, Lester D. French, vice president, J. M. Reynolds, secretary. The officers, with Frank J. Gustin, constitute the board of directors. The company owns the Hecla and four other lode claims located in the Bradshaw mining district, Beaver county, Utah.

Articles of incorporation of the Lead Hill Mining company of this city were also filed with the county clerk today. The capital stock of the company is \$100,000, divided into shares of the par value of \$1 each. L. H. Gray is president, R. E. Ball, secretary, F. T. Tilton, vice president and treasurer. The company owns the Lead Hill and West End lode claims located in Beaver county, Utah.

WASHOUTS IN SALT LAKE ROUTE

Another Flood in Meadow Valley Wash Plays Havoc With The Track.

WILL NOT OPEN FOR 30 DAYS.

"In Four Feet of Water: Am About to Take to Rocks," Wires Acoma Agent.

That the Salt Lake Route will not be open again for through business under 30 days, is evident from the reports brought back this morning by the passengers who left this city Monday night, but were turned back at Acoma, just over the Nevada line. The seriousness of the situation may be imagined also from a message received in this city this morning, from the agent at Acoma, who wired, "I'm in four feet of water; am about to take to the rocks."

The temporary track laid during the week has been washed out and carried down the river by the flood, and the immediately recent rains which have been very heavy. However, the general manager and Utah division superintendent, with other officers of the road, are on the spot with every available bit of construction equipment and are working every minute of the day to restore the destroyed roadbed and track. The returned passengers from Monday night's westbound train were told that the Salt Lake depot this morning, where their tickets were taken up and re-routed over the Southern Pacific from Sacramento, whence all travel will go until the Salt Lake Route is opened again.

Local railroad men are not backward about saying that the San Pedro people would have saved money had they built in the first place up along the hills, instead of down in the river and creek bottoms, where the tracks are washed out by every flood. They say the company will yet build via Pioche and through the hills, or else construct a costly road bed of concrete and steel on the present location, which will be more permanent. The wires were all down this morning, but are being rapidly restored.

The railroad officials ascribe their troubles to the presence of the San Pedro Sea whose evaporation alone has been, has caused on unheard of precipitation all through that part of the Sacramento state, so that lands arid and desolate of profitable cultivation within the memory of the oldest residents, are now well watered and capable of raising any amount of cultivated products.

In view of past experience, the prospects for the future, the officials of the road are beginning to think seriously of rebuilding the line higher up through the exposed places.

JONES IS OPTIMISTIC.

Utah Independent Phone Man Wires From East, "We Will Win."

A telegram received in this city this morning, from Elmer B. Jones says, "We will win." Mr. Jones is not expected back until late in the month, which is taken to mean in Utah independent circles that Jones will win out, and prevent the bonds of his company from being scheduled among the assets of the United States independent company. It is reported from Rochester that the Stromberg-Carlson company has succeeded in raising \$100,000 on its bonds held by the Rochester corporation, and that should the American Telephone & Telegraph company succeed in the sale of these bonds from the Stromberg company, the Boston concern would be called on to put up that amount to the United States independent company in order to hold the bonds.

With the present Utah independent directors in office to remain for the next 18 months, it is claimed that Boston people would hesitate to put up such an amount.

"SHE ISN'T WORTH IT."

Story of Domestic Trouble Told by a Betrayed Husband.

A story of domestic troubles, which is decidedly racy, and one containing features unfit for publication, is now being unfolded before Judge C. B. Diehl, in the criminal division of the city court. It is the case against J. A. Peebles, charged with assault with a deadly weapon on J. E. Magerl, and also on morality with Mrs. Magerl. The latter is also charged with the last named offense. The prosecution is in the hands of Asst. County Atty. Lyon and Judge J. W. N. Whitcomb. The defense is represented by Atty. D. O. Wiley and others.

The first case called this morning was against Peebles, on the charge of assault with a deadly weapon. The complainant, Magerl, testified as to the circumstances of the assault, which was expected on the night of Feb. 25, and finding Peebles in a bedroom with Mrs. Magerl.

"I intended to kill both of them," said Magerl, "I had a gun leveled at me, but I suddenly changed my mind and said: 'No, I won't do it. I won't do it.'"

Magerl then went on to say that his wife called to Peebles to protect her. He then struck Mrs. Magerl and Peebles hit Magerl on the head with the revolver. A fight ensued in which Peebles got possession of the weapon and then fled down the street in his night clothes.

FRANK GODBE RECEIVER.

Appointed by Judge Morse for the Utah Mutual Mining Company.

A decree was entered by Judge Morse today in favor of plaintiffs in the case of Henry W. Lawrence et al. against the Utah Mutual Tunnel & Silver Mining company et al. in which it is ordered that a receiver be appointed of the property of the defendant company, which consists of a claim on the Marmion lode claim located at Bingham. The company was incorporated in 1878 and ceased to exist in 1893, but its property has not been disposed of. Plaintiff, being stockholders, asked for the appointment of a receiver and their request was granted.

Frank Godbe was appointed receiver of the company under a bond in the sum of \$1,000, and was authorized to sell the property.

A DRAMATIC SCENE.

A dramatic scene occurred well along in Mr. Christensen's trial when he and County Atty. Hanson had let two negroes loose because they returned \$5,000 of \$100 bills which they were said to have secured by the means of a "hot" and looking Christensen squarely in

COURT DRAWN INTO CLASH.

County Attorney Passes the Lie With Vigor to Attorney for the Defense.

COUNSEL FOR SHEETS ARGUES SUAVE-ly to Save Head of Police Department From Jail.

Naturally Thinks Case Against Him Client Should be Dismissed—Hanson Showed Otherwise.

The audience which crowded into Judge Whitaker's courtroom this morning to hear the arguments in the Sheets case was on tip-toe with expectation and anticipation. It expected and wanted charges, denials and counter-charges, and it got them—lots of them. A red-hot tilt between Atty. Hanson, for the state, and Christensen, Chief George Sheets, the defendant, charged with conspiracy, was pleasant to the delight of the "pleasure" listeners. Mr. Christensen of immediately asserting that he had been given their liberty by the county attorney, who had been through the court, and that the expected not know the story. Christensen had just refused extradition and two negroes had gone of having a party in this city by to Portland, Ore., some time ago. Mr. Christensen, who had been in the city for some time, explained to the Mr. Christensen, who had been in the city for some time, explained to the

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