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FIFTY-SECOND YEAR

TRUTH AND LIBERTY

TUESDAY, JANUARY 21, 1902. SALT LAKE CITY, UTAH.

MORTENSEN BEFORE THE BAR OF JUSTICE of purchasing territorial interests

Throngs Crowd the Court Room in a Way Never Before Witnessed in Utah-Prisoner Apparently Deserted by all Relatives Except His Brother Henry and Wife—Facing the Charge of Murder in the Same Stoical Manner That He Has Conducted Himself Since His Arrest.

get up.

charged at the Preliminary flearing Still Clung to, but Apparently Not with the Same Tenacity as Heretofore. Follows the Testimony With Marked Attention and Frequently Prompts his Attorneys - Frank Torgeson Tells How he found and Unearthed Hay's Body in the Pasture-Part Played by Mortensen.

Peter Mortensen, architect, contrac man of nerve, and unfathomable mposition, and accused murderer of pes R. Hay, was taken before the ar of justice today to answer to the grave charge that has been preferred against him. He declares that he is mocent and that he will emerge from the terrible suspicion that has hung se heavily upon him for the past month He may be able to do so. But not one rson in a thousand believes it. No suspected destroyer of human life ver faced quite such an intensely in-

terested throng of citizens in Utah as that which confronted Mortensen today Among those who elbowed, pushed, and almost fought their way into Judge Morse's court room where Justice Nielen presided over the preliminary hear ing were scores who were once the riends of the accused, but who have now become estranged from him There were many in attendance who v had enjoyed an

tope that he Would be Dis- his cot. This was about seven o'clock when he was called by Jailer Thomas As the witness spoke the words Peter Mortensen leaned over on the table who rapped lightly on the iron grating and said, "Pete, it is time for you to and looked intently at the map. He

then picked up a pencil and paper and began taking notes in a rapid manner. The prisoner responded promptly and Attorney Christensen pointed to every in a few minutes a barber was at the jail to shave him. The stubby growth of red beard was soon off disclosing the mark on the map and asked what each represented. It showed the location of grave in which the body of James R. Hay was buried after he had been murdered, the railroad track, wire fact that the month of confinement he has had has removed the tan from his face and left it light and clear. Shortly fence, Hendry's store and residence, the residence of Peter Mortensen, his after eight o'clock his breakfast was served to him in his cell. His appe-tite was, as it has always been, good brother Henry's, Stevenson's place and the school house. "How far is it from the grave to Peter Mortensen's house?" asked the and he ate with a relish that would have done credit to a sailor.

When he stepped out of his iron pris-one house it was observed that he had donned a suit of black with white shirt, collar, tie and cuffs. He requeststate's attorney. "Measuring from the south door of Mortensen's place, by way of the gate and along the railroad track the dis-tance is exactly 1,342 62-100 feet." ed Jailer Thomas to give him his watch "How far is it from Peter Morten-sen's place to the residence of Henry which Mr. Thomas has had in his postession ever since the prisoner Mortensen? transferred to the custody of the au-thorities. The time-piece is a gold one feet. and Mortensen consulted it frequently during the day. At 9:30 Mortensen was asked if he fence

was ready to be taken to the court room and he replied in the affirmative. A few minutes later he came down stairs, passed through the jailer's office and out into the morning sunlight where Sheriff Naylor's carriage stood ready to convey the prisoner and offi-cers to the joint building. The officers with whom he walked to the carriage

and with whom he rode to the court house were Sheriff Naylor and Deputies Busby and Raleigh.

JOINT BUILDING THRONGED.

Hundreds Crowd the Court Room and Corridors Anxious to See and Hear.

Crowds such as were never seen at any previous murder trial in this city jammed the court room on the fourth floor of the city and county building during the day. Long before the time for the preliminary hearing to begin, hundreds of people were seen wending their way thither. As they approached the place they almost invariably increased their pace and in some in-stances women forgot their dignity and ran over the graveled walks, jostling and pushing others of their sex aside in order to be on the scene first and secure the best possible position that could be obtained. When they the means of being raised to the fourth floor; when the big lift was filled to overflowing, as it generally was, then there was a mighty breath-consuming,

"It is seven hundred and twenty-five "Is there a fence near the grave?" "Yes, the dotted lines indicate the "How far is the grave from the fence 'I didn't take the distance." "Well, what distance is it from the track? "From the grave to the middle of the track it is 91 feet."

"Now, about how far is it from the grave to the fence?" should say about 60 feet."

"Have you the distance from Mortensen's place to the grave by way of Hendry's store?'

Yes. From the south gate west to the corner to Hendry's store, north to the railroad track and west to the grave it is practically 1,431 feet." Counsel then asked that the map be offered as evidence, but the other side objected on the ground that it had not

objected on the ground that it had not been shown yet who drew the map. It was then agreed that the map should be marked by the official reporter as Exhibit "A" for identification. A map of the office of the Pacific Lumber company was then introduced and marked as exhibit "C." The scale of this map, witness said was 1 inch to the foot.

the foot. In answer to questions of Mr. Christensen, Mr. McAllister described in de-tail the interior of the office and the location of each piece of furniture with reference to a large counter which stood near the entrance of the office.

"How high is that counter?" Witness did not know-he had not measured the height, width or breadth of any piece of furnitury in the building, but he thought the counter was about three and one-half feet high. This answer was objected to by At-torney Stewart and he asked that it be stricken out. The court then instructea the witness to state only that which he knew. Mr. McAllister then described the desks and chairs in the room and gave the dimensions of the room, which were 17 feet 4-10 inches north and south, and 29 feet 42-100 inches east and west. The next map brought out by the had finished and rested prosecuting attorney was the map of the cellar of Mortensen's house. When walked back to the city and county building with the same officers, apparently enjoying the exercise very much. It is the opinion of the officers that was nung up Mortensen exhibited the liveliest interest in the same and studied it critically for a long time. Mortensen qualled inwardly at the star-ing crowds and that he sensed his con-Witness explained that the east wall dition more keenly today than at any time since taken into custody. Also the cellar came to the bottom of the floor joist, and the wall is not enthat the hope he has been entertaining tirely filled in. After the witness had that he would be released at the prelimgiven this testimony, counsel for the defense interposed an objection on the ground that the witness could not inary hearing has all disappeared. That he now expects to have to stand trial for murder. show by the condition of the house now

"Did you notice what the office is built of?" the body 'Yes, it is built of lumber."

the police.

then

the

the store

"How far?

thing

Do

lives

there

morning

"Did you notice the thickness of the valls They were not very thick, being fin-

ished on the inside by paper.' The Forest Dale map was then reerred to again.

When did you make the measureents on the map?" "On December 20th."

"Where did you commence your measurements, and what direction did you pursue?' "I began at the southeast corner of

Peter Mortensen's lot, and measured west to the southwest corner of Hendry's store, and thence north to the north rail of the Park City branch of the Rio Grande Western Railway. Then I returned to the southeast cor-ner of Mortensen's lot and then meas ured north across the tracks past the Young and Clawson lots to the northeast corner of Henry Mortensen's lot. I returned to the railway track and measured west along the track to a point opposite and south of the grave Then I measured from the track to the

Did you notice the fence?"

"Yes, it was a barbed wire fence with round barbs," "Did you observe the height of the embankment at the fence?" "Yes, sir. It was two feet."

"Did you notice the distance between the bank and the fence?" "Two feet." "How far is the lower wire from the

ground?" 'One foot."

'Was that wire tight or loose?" "It was tight: that is, not broken ose from the post."

"How far are the posts apart?" "About seven or eight feet." "Did you examine and measure the grave

"Yes, sir; it was six and seven tenths feet in length, one and three tenths feet wide, and one and sixty-seven one hundredths in depth."

"What was the nature of the soil?" "It was soft and marshy."" "How far is the Chinaman's hut

from the grave?" "About 600 feet southwest."

"How far is the nearest house on the northeast "Cox's house, about fifty rods. There

is a small house to the northwest about 60 or 70 rods from the grave." "Is there anything to obstruct the view of the grave from the railway

track?' "No, sir."

"is there anything to obstruct the view of the grave from the Seventh East car line?"

"Nothing but fences: no trees or any thing that would interfere with the

Witness was then excused and before another witness was called Justice Nielson suggested that court adjourn until 2 p.m. An adjournment was ther taken until that time, and the prisoner was removed to the county jail by Sheriff Naylor and Deputy Raleigh.

WALKED TO DINNER.

posed of It in Silence.

THIS AFTERNOON.

and Cranes to See Mortensen.

When Mortensen entered the court

room accompanied by the officers there

was a great craning of necks and

shovel there but I got a pick.

Ate a Hearty Meal Though He Dis-

"It was about three inches deep over "How nearly did the snow cover the ground

showed them the way to the grave.

"I was nearly opposite the grave,"

track." "What did you say to Mortensen!

"Who got the shovel?"

"Where did you see the blood?" "In three places from the grave to he track and some on the railroad

"I told him I had found a grave and

wanted to see what it was-what was

"Peter Mortensen went and got

it himself." "Who went with you when you went down to the grave?"

"I went alone the second time." "When you went back with Morten-sen and Mr. Young and uncovered the body what did you discover?"

"We found James Hay, and his face was all smeared with blood."

"What did Peter Mortensen say at

"I don't remember that he said any

By Mr. Stewart-"Where did you live

you know where the Chinaman

"You went through the fields that

"What did you think that mound was

with reference to the grave?" "Southwest."

"Little over a city block."

den, secretary and treasurer, who, with Oliver Heyward and Charles C. Dey, compose the board of directors. When Judge Young, head of the com-'Just partly.' The young man said he then went to the car to go up town but it had gone "I went to the store again and there way Mr. Royal B. Young and Peter Mortensen. They asked me if I had uncovered the face and I told them no. Then we went back to the grave and uncovered the face. The coat was pany, was spoken to this afternoon, said it must not be understood that the company was organized to put a tele phone system in the field. On the con trary it was simply to pave the way uncovered the face. The coat was placed back over the face and Peter Mortensen went back to telephone for to place some of its patents in the hands of telephone companies already operating.

When the officers came .

RECEPTION TOMORROW. "What did you observe first that at-tracted your attention to the grave?"

"It was the mound I first saw; I was on the railroad track then." "Well, tell us just where you was Western Canadian Editors to Have a Good Time Here.

Preparations for the reception and entertainment of the Western Canalian Editors are now about completed. The visitors will be met at Ogden by D. P. Felt, Wm. Buys, I. E. Diehi and E. A. Littlefield, Ben. H. Atwell and ladies, the reception committee of the Utah Press association.

The visitors will arrive tomorrow morning at 8 o'clock and after a hurried breakfast will take a special t Saltair, returning at 12 for lunch and at 1 p. m. will "see Salt Lake" for two hours, visiting Fort Douglas and in-specting the batteries. At 3 p. m. the Tabernacle will claim their time where Prof. McClellan has arranged a special recital for their entertainment. At the close of this function a reception will follow including an address of welcom by Governor Wells, a response from the visitors, greeting by Wm. Buys of the Wasatch Wave on behalf of the Utah Press association, a short address on "Utah" by B. H. Roberts. The Salt Lake papers will then be represented by remarks from representatives of the press including Hon. C. W. Penrose, Perry S. Heath and A. U. Mackay. Other remarks will probably be made by some of the visitors after which a general handshaking will follow. In the evening a dip in the Sanitarium and an informal musical at the Knutsford parlor will close the day's entertainment. The party will leave Friday morning for home. affluence.

All Condians are cordially invited by President Felt to become special committeemen and join the visitors on the ground floor of the Tabernacle.

There is more grief in the flour market. The recent reduction of the rate on flour into Utah from all points east of Umatilia Junction has affected the Idaho millers even more unfavorably than the Utah millers, H. O. Harkness PATENT ISSUED LOGAN MAN of McCammon and F. P. Roberts o Blackfoot, two of the more prominent millers in Idaho, arrived from the Postmaster at Lehi, Mercur and Eureka Connorth today, and are registered at the



Makes a Speech in the Senate Chamber--Points to Imperfections in Policy Of the Bill.

Washington, Jan. 21 .- The Senate | islands by placing embargoes upon it. passed a number of private pension bills and bills granting permission to construct bridges, and at 2 o'clock Senator Lodge took the floor to speak on the Philippine tariff bill. He said the United States rights in the Philippine Islands were settled.

Senator Rawlins' Speech.

After reviewing the bill proposed by majority of the committee, Mr. Raw lins said it must be plain that the majority measure would not tend to pro-mote peace and order in the Philippine archipelago. He did not think it diff. cult to foresee the results of the policy proposed by the majority. War, in-surrection, brigandage, robbery and assassination would continue. Industry and trade would be paralyzed. Waste of blood and treasure would continue The horror of the situation now inde

scribable, would grow more aggravated. UTTERLY IRRRESPONSIBLE. The Philippine commission, he asserted, desired to have large sums of money for expanditures. There was no limit to the commission's power to multiply offices, employments and sal-aries. It owed no responsibility, he declared, to the Filipino people. One of the necessary results, he insisted,

of the administration's "imperial pro gram" was that the officers in the island would replenish their fortunes and then return to this country to live in

WILL DESTROY TRADE.

[Special to the "News."]

The mayor was released on his own rec-

ognizances. John D. Murphy appeared

as counsel for the defendant while the

prosecution is in the hands of Attor-

neys H. H. Henderson and A. J. Weber,

The date for the hearing of the case

Will be Offered Some Other Posi-

t on in City Government.

WILL LIKELY ACCEPT IT.

Statement From Authoritative Source

Has It That Either Sam Barlow or

Frank Hines Will be Appointed.

Thomas Hilton will resign as chief of

he were to remain in his present posi-

tion the antagonism against him in the

department would be a constant source

of embarrassment to him. When seen

MAY RESIGN.

was set for Thursday at 10 a.m.

CHIEF HILTON

STEALING FUNDS. "Look," said he, "at the conduct of

our agents in Cuba, stealing the trust funds committed to their care. Exfunds committed to their care, amine the proceedings of even amine the proceedings of even our judges, marshals and other officials in far distant Alaska. Conspiracies to commit a larceny of wealth seem to become predominant. The policy out-lined by the majority proposes a per-manent institution of the practice of

"DR"GLASMANN APPEARS IN COURT Kenyon with the intention of present-ing the situation before the freight de-pariment of the Short Line They say

These methods, he insisted, would in-cite the islanders to further hostility and insurrection. The great army now maintained in the islands was insumcient to protect life and property. He ridiculed the plan of campaign adopted by the army in the Philippines and de nounced the "finesse" by which hounced the "finesse" by which Aguinaldo was made a prisoner. It was idle, he said, to suppose that the people of the islands ever would for-give us or look upon us as friends.

NOT TOO LATE.

After reviewing briefly the origin of the insurrection, Mr. Rawlins said it was not too late yet "to fulfill our pledge to accord to them their inde-pendence. It is not yet too late for us to stay the hand of the carpet-bagger and remove the islands from future

exploitation." The exploitation, he declared, would result in the control of everything in the islands by trusts. When the Philippines became thus "trust infested" the result could be forecasted readily.

"The Democratic proposition," he said, "is that tariff should be imposed for revenue, the duties to be so adjusted as to operate equally throughout the country and not to discriminate between class or section."

SIMPLE REMEDY.

"The proposition which the minority submits, which if adopted, promises a simple reinedy for the troubles which afflicts us. It proposes to relinquish the islands. It proposes that so long as we continue in possession of the islands there shall be frieden of traile between them and the United States between them and the United States. When the United States lithdraws from the islands and they assume in all respects the attitude of a foreign country they will be subject provisions of our general laws relating to tariff taxation.

RELEASE ISHMAELITE.

"Let the Ishmaelite go. Otherwise the burden of our difficulties will grow. Taxes, like the Old Man of the Sea, will hang upon our backs. And in the He declared that the object of the measure proposed by the majority was to obstruct and destroy trade with the

MILLS MAY SHUT DOWN. Idaho and Utah Millers Dismayed Over New Rates.

when you saw it?" "I thought some animal had been "Do you often see dogs burled like "Yes, there are lots of dogs killed down there." "How many sets of tracks were "Two; and I went west of them." "Had they been used more than "I think not." "How far were they apart?" "About three feet." The witness was still relating the details of the ghastly find when the 'News report closed.

qualitance with Hay. There were hunireds both in and out of the court room who had never seen either the prisoner or the murdered man. But like everybody in this region they had read of the tragedy and were interested. Many were there for the sole purpose of satisfying the morbid curiisity by which they were actuated. But bey were not all of this class. There ere those who wanted to see and ear in order that they might know for selves

The reports which have been prevaat for some time that Mortensen had been deserted by wife, brothers-in-iaw and all of his relatives except his broth-Henry and the latter's wife appear to be true. In fact, there was no one of his kin present to encourage or theer, aside from Henry who thus far has not wavered in his allegiance whatever his belief may be. Mrs. Mortensen and children are with their relalives in Provo. Members of the Watkins family, into which the accused married, kept themselves in the background, and left him alone with his the troubles. Richard Watkins, of Provo, was the only one if his wife's relatives in attendance, and he was present so that he could take direct tidings of the hearing to his sister and her little ones. During the entire hearing Mortensen busied himself with details and freevently prompted his attorneys while the maps and diagrams of that portion of Forest Dale where the murder octurned were being examined. The relalive location of his house to Hay's and Hay's to the grave, the rairoad track, larbed wire fence, Chinaman's hut and the various distances between were all liens that commanded his closest attention, When his own home, now desolate and blighted, was described and the measurements from there to where the mutilated remains of his suspected victim were dug from the ground, were gone over, he took careful notes in a special memorandum book with which he had provided him-Shortly after court opened this after

noon the question was audibly asked as to the whereabouts of Mrs. Hay, wife of the murdered man. The men tion of her name caused Mortensen to quickly lift his eyebrows and look out nervously from under them in the direction of County Attorney Christen-sen who said, "The lady is not here, but is within easy reach when want-ed." This bit of nervousness was not seen by many, though the uneasiness that took possession of him while young Frank Torgeson, who found Hay's bedy in the pasture, was on the stand, relating the sad story of his possession of him while startling find was much more notice-Whether the hearing will come to an

whether the hearing will come to an abrupt ead this evening or drag on for two or three days is not known at this time. It may be that Mortensen will offer no defense at all at the prelimin-ary hearing. In fact, it was thought ary hearing. In fact, it was thought this afternoon that his defense would be made at the trial proper.

MORNING PREPARATIONS.

Shaved and Had Breakfast, After Which He Donned a Suit of Black. So far as known Mortensen passed

restful night in his cell although it is said he was anxious for daylight to tome in order that he might make ready for the hearing he has all along essert-ed would result in his freedom. He was among the first prisoners to arise from Dal

strength-reducing scramble the marble stairways. Everybody was going up, nobody was coming down. Old men halted occasionally on the way, strong men elbowed through and women almost fainted.

When the entrance to the court room was reached and it was discovered that every available inch of space was occupied, a general wail went up, and one man exclaimed in a burst of indignation, "This is simply an outrage. Why don't they get the Theater or some other building large enough to hold the crowds that they knew must surely come on account of the notoriety of this case.

Others said they might as well go home, but others said they would stay all day in order to get a peep at the prisoner. And they practically kept their words, for many who stood in the hallways at the outset were there at the end, questioning those who had the right to enter and leave the court room as they chose.

THE CYNOSURE OF ALL EYES. In the Court Room Mortensen Was

As Cool as Judge or Lawyers,

In the court room Mortensen was as cool and collected as the lawyers for the prosecution or defense. He stood the searching gaze of hundreds with-He stood out wincing or changing color for an instant.

The hearing took place before Judge Nielson, to whose court the case was recent - transferred under change of venue proceedings from Judge Diehl. When Judge Nielsen entered and took his seat upon the bench, he found the court room packed from side to side

and from front to rear. Mortensen was, of course, the cyno-sure of all eyes. He sat directly under the gaze of the court and newspapermen, and with his back to curious throngs that had pushed their way into the auditorium or gallery, as the officers call it. At the prisoner's side was his brother, Henry Mortensen, who made? by the way, bears a striking resem blance to him. On the prisoner's righ a right were his attorneys. Barnard and C. B. Stewart. Immediately back of him were Sheriff Navlor and several deputies, and close to them were District Attorney Eichnor, County Attorney Christensen and his assistants, Messrs. Loofbourow and Riter. Near the lat-ter was Hon. James Sharp, father-intime law of Mortensen's supposed victim. Back of them there were friends of the dead man, city and county officials and the general public.

HEARING BEGINS. Diagrams of Scene of Murder Critically Examined.

Promptly at 10 o'clock Justice Nielson "Is the state ready-and is the asked: defense ready?'

Counsel for both sides signified their readiness to proceed with the case. At-torney H. G. Twomey was sworn in as the official stenographer and Deputy County Surveyor J. D. H. McAllister was called to the witness stand. In answer to County Attorney Christensen he gave his name, place of residence and position in the surveyor's of-fice. Before the attorney began his

examination of the witness, counsel for the defense, Stewart & Stewart, asked that all the witnesses except those on the stand be excluded from the court The request was complied with and while the witnesses were leaving the room there was considerable de-

Mr. McAllister's attention was directed to a large map hanging on a frame to the left of the witness stand, and he was asked if he knew what it was. He replied that it was a diagram

of a portion of what is known as Forest. "What is the scale of the map "One inch represents twenty feet." "What is this spot in the southwest corner of the map-what does it indi-

"It indicates the grave."

what it was at the time of the alleged murder. The objection was overruled and an exception was noted. Mr. Christensen asked, when the map Increased Jam of Humanity Crooks

of the interior of the house was in-troduced, if the two front rooms were finished or unfinished.

"Unfinished." was the answer tinued to push their way in long after court reconvened. There were more Mr. McAllister then described the outhwest room and the entrance to the ladies present than at the morning ses same from the porch, and also the consion, and crowds of both sexes stood around in the hall listening intently for tents of each room. The measurements, he said, were taken on December 20 a word that might be heard over the 1901 to the present time. He then tes-tified that the maps were all made untransoms County Attorney Christensen said in der his direction and that he did most answer to a question, that he did not know just when Mrs. Hay would be of the work on them. Attorney C. B. Stewart then took the called to the stand but that she was within reach if wanted.

for cross examination and asked "Did you take the measurements yourself'

"No, I made notes while my assistants took the measurements. "When was the last measurement you

"Yesterday afternoon."

"You never visited the house on the 17th., 18th or at any time prior to the 20th, did you?" "No; I think not."

glared at the spectators. Suddenly he dropped into a chair and turned his Mr. Stewart then arose and asked that all the testimony given by the wit-ness be stricken out of the record on the ground that the condition of the back upon them. The defense re-called Mr. McAllister and asked him if he measured the height of the walls of the cellar from house at the present time or at the the measurements were taken, did not indicate the condition of the house on the date of the alleged murnotes at this time. der, and had nothing to de with if at all. The attorney took the stand that it was all incompetent. ty Attorney Christensen offered all the

Attorney Christensen vigorously posed counsel's objection and said that subsequent witnesses would testify as to the condition of the house and prem

es at different times from the date of the murder to the present time. The objection raised by counsel for the de The next witness called was Frank fendant was overruled and an excep-Forgerson. Asked where he was on the tion was noted.

18th day of December he said he was home and that his home was at Forest Dale. The young man then in clear and Answering Mr. Stewart, Avitness said he did not mark or notice a settee in the middle of the room. distinct tones related the following When did you take the measurement

of this place? "I took the measurement of the finshed part of Mortensen's house on the 23rd of December, 1901."

"When did you do the rest?" "On Jan. 11, 1901."

The celler was measured on the 23rd of December. Witness said he noticed of lumber. This was in the northeast corner of the room. He said it was ight feet long and four feet wide

"When did you make the measure-ments of the Pacific Lumber company's to get a pick and shovel. I couldn't get "That was done on the 10th day of

January. Referring to the map of the lumber company's office, Attorney Stewart

"Was this chair placed in position by Mr. Romney?" "Yes, the chair was placed in the po sition it was when occupied by Mr.

Mortensen.

When the noon hour came and a reess was announced Mortensen was Gen. Rurton Attending the Annual taken to dinner at the county jail Meeting of the Washington though he did not ride this time OT the contrary he walked the entire dis-National Guard. tance, accompanied by Sheriff Naylor and Deputy Raleigh. He was escorted to his cell, where he found a good din-ner ready for him, of which he av-[Special to the "News."] heartily and with much relish, although Washington, D. C., Jan. 21 .-- H. O. t was disposed of in silence. When h Williams of Chevenne has been ap-

Also

briefly pointed a railway mail clerk. J. R. Daley of Ogden, railway mail clerk, has resigned. A patent has been granted to A.

Power of Logan for steam cooker. The Senate has confirmed the ap-pointments of Stephen W. Rose as postmaster, Lehi City; R. W. Watts Watts of Mercur, and J. P. Driscoll of Eureka. General C. S. Burton of Utah, Col. J. Boardman of Wyoming, and Col.

firmed by Senate.

Young of Idaho are here attending the annual meeting of the state national guard. Senator Heltfeld presented a resolu tion of the governing board of the Lewiston commercial club, approving

the plan of Captain Hart for improving The court room was crowded before 1 the Columbia river at The Dalles and o'clock this afternoon and people con-Celilo

> SECRETARY REPLIES. The secretary of the interior has forwarded to the Senate, in reply to the solution of Senator Rawiins, which was adopted by the Senate, calling up-on him for information where the department is contemplating to lease a arge body of land in Indian reservetions for mining and other purposes. The reply says that the lease is for the nining of mineral oil, coal and other ninerals, for a period of ten years from and after date of approval thereof by the Secretary, he is leasing lands in the lintah reservation described as fol-OWN

everybody seemed anxious to get a glimpse of the man. Mortensen walked Beginning at the intersection of longitude 110 degrees, 15 minutes west in with a quick step and flashed an angry glance at the crowd. That pecuand latitude 40 degrees, 26 minutes, 20 liar gleam which has shown itself on seconds north to the intersection of the northwestern line of the reserve, thence several occasions since his arrest was noticeable this afternoon when he along the western line to Mount Baldy. thence along the western line of the reservation in a southerly direction to the intersection of latitude 40 degrees.

KIRKMAN LOSES.

The Supreme court has dismissed the the ground to the joists. "I think I did but I cannot find the appeal in the case of Kirkman vs Bird, on Rio Grande Railroad company garnishee, involving the right to wages owing by the railroad company to Bird Witness was then excused and Counas an employe of the company. The case was appealed by the plaintiff in error from the Supreme Court of Utah and was dismissed by the Supreme maps in evidence. Mr. Stewart said he did not object except as to the contents of Mortensen's house. He thought that part should go out. His objection was overruled and the maps went in as evicourt for failure of plaintiff to print Congressman Sutherland the record. represented the Railroad company and FRANK TORGERSON'S STORY

DEFENDING SUGAR.

Bishop Thos. R. Cutler arrived here last night from New York. The Bishop and Representative Sutherland will ap-pear before the ways and means committee of the House tomorrow in the hearing on the beet sugar industry,

Senator Rawlins placing Edward Byrne on the retired list of the army, with

sail from Portland, Maine, on Febru-ary 1st for missionary work in Ger-

TELEPHONE COMPANY.

Not to Install System but to Sell Patent.

Just then I saw Peter Mortensen com-ing around the corner of the store and I told him I had found a grave and A telephone patent company was inasked him for a shovel. I got the shovel from him and he said at the time that it was the only shovel he had. I then corporated today to operate in Salt Lake City and surrounding country. went back to the grave alone and cracked the frozen ground with the pick and exposed a piece of clothing." "How deep was the soil?" The corporation is styled "The Kraft-Nickum Combination Telephone Company" and is organized for the purpose

hat they have to pay the same wheat rate from the Oreegon mills as Utah shippers and in addition have the local arbitraries to pay on outward ship-ments of flour. This adds 15 to 20 cents per cwt, and with the Oregon mills able to lay flour down in Pocatello, or other centers on the road for just what it costs the Idaho millers to ship in their raw material, makes it necessary for the Idaho people to quit risiness. The Intermountain peo this city stated this morning that the would grind what little wheat they had on hand and would then shut down. In consequence of the reduction in the flour rate from Oregon, there is movement on foot to cut prices on floiar and some commission house agents have been authorized to quote \$1.84, \$1.90 and \$2.10 wholesale for the three grades of flour. Retail rates are 25 cents higher in each case. AFTERNOON MINING CALL. California, Ajax and Uncle Sam Led

In Farther Decline.

Without exception, this afternoon, the mining stocks quoted on the exchange ruled at lower figures and closed at the lowest figures for the day. Ajax commenced trading at 34 and old off to 33. Carisa ruled around 49 and 50. Daly-West was sold for 28.85. Small sales were made of May Day and Mammoth and Star Con, was traded in to the extent of 4,800 shares at figures around 29. Uncle Sam Con. was very much off selling as low as 58 and California with sales totaling \$,300 sole off from 42% to 40. Century hung abound 20-21 and Yankee Con.was traded in for 2.10 to the extent of 30 shares.

No. Shares. Bid. Asked. 85 48% 49 Carisa : Daly-West 150 28 85 .. 300 1 21 ..1.800 53 Mammoth May Day 5314 . 4,200 Century 40½ 13½ California8.000 Ben Butler Yankee Con. 300 Uncle Sam Con. .. 3.700 300 2 05 Star Con. 4.800 28% 29

LATE LOCALS.

The regular meeting of the High Priests quorum of Granite Stake will convene in Farmers ward meeting bouse Saturday morning at 10 o'clock.

today he said that he had not absolute The regular meeting of the home missionaries of Granite Stake will con-vene in the Mill Creek meeting house ly made up his miad what he would do, but he added that he did not see why he should remain in the office on Wednesday, 29th inst, at 7:30 p. m.

George M. Beardslee of Sacramento when he neither wanted the position who died suddenly on the 19th inst. leaves a sister, Mrs. E. A. Price, a resinor did his people want him to have it. "The matter will likely be settled this dent of this city. The report that the deceased was in any way connected afternoon," said the chief, "at the meeting of the council committee, when, I with the Beardsleys, formerly of th state, is erroneous. It is another famunderstand, I will be offered some other ily entirely. position in the city government."

Paymaster Major George F. Downey Now that it is almost an accomplished of the regular army, son of Major George M. Downey of this city, is a fact that Chief Hilton is going to abdicate his office the matter of his succespassenger on the transport Grant now in quarantine in San Francisco harsor is being talked on the streets by most everyone. For some reason of It was expected this morning that time this evening, the major some another the Mayor has not seen fit to would be released so he could come ashore. He will be welcomed by his divulge the name of the man he has selected to take the place of Mr. Hilfather and wife and children who have ton, but the word was given out today as coming from one of the most authorgone to San Francisco to welcome him The paymaster is lookeds for in itative sources, that the men who are being considered are Sam Barlow and home. Salt Lake by Friday.

Frank Hines, and the Mayor is in a quandary as to which of the two to choose. Mr. Barlow is Mayor Thomp-The Zion's Savings Bank & Trust company sold today to Jens Anton Jen-son, the 15½ acre farm in Mill Creek known as the Jesse Murphy farm, for \$2,150. This property was taken by the son's brother-in-law, and is now en gaged as a traveling map for some tea establishment. He is quite well known in the city but he has never been conbank some years ago in foreclosure proceedings from John W. Young.

Mayor of Ogden Will Plead on Thursday to Charge of Violating Health Laws-He is Released on His Own Recognizance This Afternoon.

The complaint charging the offense was sworn to by Dr. Condon before City Justice Hall this morning and was placed in the hands of Chief of Police Browning. The chief did not serve the Ogden, Jan 21 .-- As the outcome of the squabble between Mayor Glasmann and the city health authoritles Ogden's warrant, bot notified Mayor Glasmann chief executive appeared in the police that his presence was required in the court this afternoon on the charge of court room at 2 o'clock this afternoon. The mayor was ten minutes late but violating the health laws of the city.

eventually got there. Mayor Glasmann was absent from the ball at the Weber club last night owing to the fact that in course of conversa-tion with President Angus Wright the latter suggested that in the light of developments it would perhaps be good policy for him to forego the pleasure of appearing at the social event.

nected with the police department in any particular, Mr. Hines in the present superintend-

ent of the waterworws department and while he is well known in the city he has, perhaps, never been thought of as a receptive or any other kind of a candidate for the position of chief of police. He has never been in the lice department and he also is there-

fore untried. Little credence would perhaps be given the statement that the Mayor was considering the above named gentleman in connection with the office of chief of the police department, were it not for the fact that it was made by one who is as likely to know as most any other man in the city.

It is stated that it was Chlef Hil-ton's intentions to tender his resignation with the provision that it was not to take effect until his successor was appointed by the Mayor and his appoint ment ratified by the City Council. For the reason that if the Mayor should appoint a man who was obnoxious to the Council, the latter body could re-fuse to endorse the appointment and the police department would still have a head.

But Mr. Hilton was told that his resignation could carry no conditions with it there being a provision in the city There is now a strong likelihood that ordinances to that effect. In that event it is probable that Mr. Hilton will repolice. He is ready to concede that if sign outright and step out of the police repariment into some other office in he city government which will be equally as lucrative. It is understoo that the fight the Mayor is making on the chief is not because of any personal esteem, but he thinks the chief is wanting in that executive faculty that is essential to the proper conduct epartment, and to show his good faith he has offered the chief a good posltion which the latter will likely accept.

FINANCIAL REPORT.

Board of Public Works Makes! States ment of Expenditure.

The report of the board of public works of the funds expended during 1900 and 1901, as signed today by Chaicman J. E. Dooly, shows a grand total

of \$292,125.85, divided as follows: Water bend fund-1900, \$108,736.99; 1901, \$50,170.50. Total \$158,907.49. General expense and contingent fund -1900, \$10,908.33; 1901, 49,053.14. Total, \$19,961,47.

Special sewer fund-1900. \$11,107.23;

Special sewer rund-1506 511,101.53; 1901, \$21,561.38. Total, \$32,668.61. Watermain extensions and water-works funds-1900, \$21,712.48; 1901, \$32,-332.32. Total, \$54,044.80. 332.32. Total, \$54,044.80. Street and sidewalk fund-1900, \$2,-624.84; 1901, \$9.929.65. Total, \$12,554.49.

Special paving fund-1900, none; 1901. \$13,988.99.

The sales made and the closing quo tations are as follows: 29 10 -535 21 40% $\begin{array}{c}
 13^{3} \\
 2 10
\end{array}$

Chas. E. Key, Kirkman.

"I was in Forest Dale at home," said he, "and early in the forenoon I went out to look for some horses. I The Senate has passed the bill of

went across the fields to the railroad track and in looking north I saw a grave. I also saw the horses and crossed over. It was then I saw tracks leading to the grave and I kept to the west of them and went over to he rank of captain. Winslow F. Smith, Salt Lake, is the ruest of Ben Rich, Jr. Mr. Smith will

the mound. This was between 8 and 9 o'clock. I saw blood stains between many. the grave and the fence. After looking around a minute I went up to the store