

FURTHER DELAY IN SHEETS CASE

Arguments in Defense's Motion
To Dismiss Postponed Un-
til Sept. 23.

THE CASE MAY GO HIGHER.

If Finding Favors State, Matter Will
Probably be Taken to Sup-
reme Court.

The arguments in the Sheets case were not made this morning before Judge Morris as had been announced, but will now go over until Sept. 23, that date having been set by the court this morning.

The contention of the defendant's counsel in their motion to dismiss the case against the former police chief is that the dismissal of the conspiracy action by Judge Armstrong is a bar to the trial of the present case pending against him. It is asserted by the defense that the statements of facts in both complaints are identical and that the dismissal of the one action makes the other invalid.

The state will plead in opposition to this motion that the dismissal of the conspiracy case is not a bar to this action, but even though the facts set forth in the one complaint were similar to those set forth in the other, it would not act as a bar to prosecution. The state, however, contends that the statement of facts in either complaint is not identical to the statement in the other.

In court this morning District Attorney Fred C. Loomis presented the state's reply to the plea of the defense to the jurisdiction, contending that the defendant's plea to the jurisdiction of the court herein are insufficient to justify the court in granting the motion.

E. A. Wedgewood and Soren X. Christensen, of counsel for the defense, and Fred C. Loomis, representing the state, were present at today's proceedings.

In the event that the court rules in favor of the state, the defense will most likely carry the matter into the supreme court. In that event, the actual trial of the case could not be begun for several months.

NONSUIT MOTION DENIED.

P. M. Lee Sues Rio Grande Western
For \$1,500 Damages.

The motion of the Rio Grande Western Railway company for a nonsuit in Judge Ritchie's court in an action where the defendant corporation was designated as the Denver & Rio Grande Railway company was denied by the court yesterday. The action was brought by P. M. Lee to secure damages amounting to \$1,500. The jury awarded him \$175. The allegations made by Lee were in effect that he boarded a train from Brigham and that when the conductor examined his ticket he said that it had expired. Lee protested that his ticket was still effective, but the conductor stopped the train and put him off. Lee did not have sufficient money to buy another ticket and brought the action for damages.

SHEPARD APPEAL

Comes up in Federal Court in Denver
Next Week.

United States Dist. Atty. H. E. Booth leaves tomorrow for Denver, where he goes to represent the government in the case against Richard B. Shepard of this city. The matter comes up in the federal court of appeals, at the instance of the defendant, who was convicted by a jury in Judge Marshall's court on a complaint charging him with improper use of the mails. He was found guilty on two counts, and was sentenced to serve 12 months in the state prison on each. However, as both were ordered to run concurrently, the sentence would actually mean a little over a year's incarceration.

The defendant based his appeal upon the alleged fact that the indictment was not sufficient in the premises, and the case went to the court of appeal. Atty. Jesse H. Root and H. O. Shepard will represent defendant at the Denver hearing.

PARKITES VISIT IDAHO.

Geo. Quinn and Frank Shields Have
Property in Caribou, Montana.

George Quinn and Frank Shields, two prominent Parkites have just returned from an extended trip into the Caribou mountains of Idaho where they have a number of gold claims which show up splendidly. To back up their assertions concerning their property Messrs. Quinn and Shields have a trip full of gold specimens literally coated with the yellow stuff. The organization of a company is not bothering the young men at the present time as they believe there is much more to be brought out in the ground and they are the sort of prospectors who wait until they have something before starting anything. The pair will remain in Salt Lake for several days to rest up from their trip.

SOCIAL SCIENCE ASSOCIATION.

Buffalo, N. Y., Sept. 13.—At today's session of the American Social Science association, the address of Martha W. Littleton of New York on "Birth of Events" was in the presence of Mr. Littleton read by Mrs. Laura Plank Russell, L. A. D.

Sweet's Carnation
Chocolates
satisfy
a
multitude
of
critical tastes.

A MATTER OF QUALITY
THAT IS UNMISTAKABLE.

Sweet Candy Co.,
Manufacturing Confectioners.

MIKE CARACCIA DIES AT HOSPITAL

Was Shot Three Times by Sam
Condi, a Fellow Italian. Who
Is Still at Large.

Late this afternoon it was learned that Mike Caraccia, the Italian who was shot three times Wednesday by Sam Condi, a fellow Italian, had died early this morning at St. Mark's hospital, where he was taken after the shooting. There was a rumor that Condi was being hidden in Salt Lake by some of his countrymen, but the chief of police declares that this is not so, and that Condi, who escaped after the trouble, is not in Salt Lake.

Chief McKenzie has a good photograph of Condi, and is having 100 copies printed this afternoon. These copies will be sent to the various police headquarters and sheriff's offices throughout the Intermountain region, and it is expected that Condi will be apprehended before many days have passed.

AMUSEMENTS.

Theater.—A second immense audience saw "Robin Hood" last night and applauded even more heartily than that which saw the first presentation. The same bill will run the remainder of the week with a matinee tomorrow.

Orpheum.—Tonight is "society night" at the Orpheum and the expected audience is large. The "standing room only" sign will be hung out.

Grand.—Immense business is at attendance at the nightly presentation of "No Mother to Guide Her." It will run the remainder of the week.

Lytic.—A complete change of bill comes tomorrow afternoon, tonight being the last of the present week's bill.

RAILROAD NEWS.

Announcement has been made by the Burlington Route that all transportation, whether interstate, annuals or trip passes, will be honored on its limited trains as well as on all others. This is a long step from the past, being "broken by most of the railroad companies which formerly held out of legitimate masses traveling on certain trains only."

N. L. Drew has been appointed general agent of the Colorado-Midland at Colorado Springs to succeed S. C. Browne who went to Los Angeles in the same capacity. The change was made by Mr. Browne whose wife cannot stand the altitude at the Springs. Another Midland change announced is that of the resignation of M. R. Saiton at Kansas City and the appointment of M. Law to take his place.

A correction in the "News" story of the Midland trying out motor cars is that the cars being tested on the Colorado Springs division of that line are gasoline-motors.

Ken O. Keyes representative of the New York Central in this city returned at this morning from a business trip to Butte, Mont. He reports a cold wave over Butte and advises anyone headed in that direction to take along heavy overcoats. Mrs. Keyes has been enjoying a week's visit in Denver and will return to this city tomorrow. W. W. Dickinson, traveling freight agent of the New York Central is in Park City on business today.

"Bride" J. Ridd, one of the 400 graduates most popular employees, is assigned the duties of the general agent for the Rio Grande at Bingham today. He succeeds Joel L. Hicks who has left Bingham to go back to Logan where he has been prominently identified with banking ventures.



Power of value
was never better demonstrated than
in this showing of Hart Schaffner
& Marx clothes.
Cut to your measure; styled to your
fancy; priced to your purse.
Have you seen them?

Richard J. Radamus

412 SOUTH MAIN STREET.

ATTORNEYS BALK ON US DAY

Friday, the Thirteenth, is Too
Much for Lawyers and
Brides.

Friday, the thirteenth day of the ninth month, was a combination of days and figures of ill-omen too strong to be set upon by lawyers. Not a complaint was filed in either the district or city courts and not a case was tried. If any matters were due to come up, the attorneys had them postponed until another time. Whether it was because it was Friday, the thirteenth day of the ninth month, or not, the lawyers would not say, or rather did not say, but nevertheless they did not plead their causes before the courts of law, they did not commence their actions and did as little as was possible that nothing of account would be set on foot because of the peculiar phase of the day.

Up to a rather late hour in the afternoon there were no happy couples seeking the court clerk to procure licenses to wed. They could not, even in their great love, surmount the obstacle that presented itself in the calendar.

Hello, Judge, what are you doing today? "One of the oldest lawyers in the city was asked this morning as he was strolling down the corridors in the city and county building. "Look at the calendar, my son. You will readily see that no lawyer in the world would start a suit on a day like today. Friday—had enough any day—when the date is the thirteenth, that's too much. Besides this, September is the ninth month of the year. I once knew a lawyer who defied all superstitions and who declared that there was nothing in them, but he lost almost every case he ever started. To defy superstition on the thirteenth, he started every suit on Friday—and he lost every suit he ever tried."

"You are not superstitious yourself, are you, Judge?"

"Oh, no. I am not superstitious, but I wouldn't want to commence an action on a day like this."

When a reporter looked at the register of actions on the counter in the county clerk's office, he expressed some surprise at there not being an entry for the day.

"Don't expect to find anything there today, or you'll be disappointed. It's Friday and the thirteenth."

It was one of the veteran clerks speaking. He has watched lawyers come and go for many years. He knows what Friday the thirteenth means. There has been only this one day in this year. There was never before this year a Friday the thirteenth and there will not be until nearly Christmas time.

LABOR BUREAU FOR NEEDY POOR

Any Persons Having Odd Chores
Asked to Communicate
With Pauper Clerk.

The county commissioners have decided to add to the duties of the pauper clerk that of providing light work for infirm paupers who apply to the county commissioners for assistance. The commissioners have many applications for assistance from old men who are able to do light chores, but who are not strong enough to work hard, and who cannot get light work to do. To this end the following letter has been addressed to the public by the board of county commissioners through Anton Lundberg, pauper clerk:

To the Public.—For some time the pauper department of the county government has contemplated the establishing of what might be termed a labor bureau for the needy poor of the county. The advantages of such a system being that it would assist those unable to do heavy work, and be of considerable assistance to the county, at the same time give the individuals a greater degree of independence.

After due consideration I have been instructed by the Hon. James E. Clinton, chairman of the committee on paupers of the board of county commissioners, to address this communication to the public, requesting your assistance.

Any persons having odd chores about the homes that could be light work are asked to communicate with the pauper department. We will gladly furnish men to do wood chopping, clearing, doing yards, assist in light work and do any other light work that can be given women such as sewing, washing, cleaning of all kinds, and any other light work that you can be taken home, we ask that you communicate with us and we will have the same cared for.

Light chores of any kind can be taken care of and would confer a great favor upon the various individuals that have come to our attention if you would let us know where this class of work can be secured.

The pauper clerk can be communicated with over either of the following numbers: 437 Union 9 to 12 o'clock in the morning, and from 2 to 4 o'clock in the evening. His office is at 24 city and county building.

PERSONALS.

General Freight Agent Rogers of the Great Line has returned from his business trip to Chicago.

Mr. Charles Clayton, son of Col. N. W. Clayton, has returned from an extended stay in Berlin.

James A. Bradley, manager of the Oregon Lumber company, is in town from Baker City, visiting with relatives.

Steen Cox of Beater is registered at the Culver.

Judge Folger, with his wife and daughter, has returned from a pleasant trip into the Yellowstone park.

Heavyweight Kitchen Folks.

"It will do you more good to smell food that is being cooked than it will to eat it after it is cooked. It is the astounding statement made by a local restaurant man."

That is the reason why so many professional cooks are big weights. You never saw anyone who became a chef and stayed at it any length of time but became fleshy. Cooks never eat to any great extent, except to taste the food at times while it is being cooked in order to see if it is done. It is the odor of the food in the kitchen that makes them fat.

The same will apply in the case of the housewife. Continuous work in the kitchen makes fleshy women and healthy women. Cooking is the healthiest occupation in the world.—Indianapolis Star.

With the Politicians.

CONVENTION DATES.

DEMOCRATIC—
City Convention—Sept. 17.
Ward Conventions—Sept. 19.
AMERICAN—
Primaries—Sept. 18.
Ward Conventions—Sept. 19.
City Convention—Sept. 21.
REPUBLICAN—
Primaries—Sept. 24.
Ward Conventions—Sept. 27.
City Convention—Sept. 29.

The last of the preliminary skirmishes to develop a show of front may be expected within a few days. After that there will be real ammunition in the political big guns as the Democratic center towards the convention and nominations is already under way.

How will Martin Mulvey vote this fall? Martin, they do tell, isn't half the "American" he once was and he is dividing his attentions between pointing with pride to his record on the water-works department, and noting he can work down from the political amalgamation of which he finds himself a part.

The cold, cold wind that has been blowing across Crabbree hasn't deeply affected him yet, as he has been down in California, out of the draft. It is rumored that he will catch cold and be kept at home on the "American" convention date.

The "Black Hand" policies that have protruded from the committee meetings where Crabbree was the center of attention are having their effect, too. The odor from them isn't one that makes a noise like re-election.

The Big-Mit artists of the "American" party are looking to the Denver board, recently opened in the Atlas block, each one breathlessly whispering that Bradford won't do, and that if he is finally crowded down the throat of the party, the Big-Mit contingent will have to try and sew him up with a city council that will develop a leak or two running from the finance tank in their direction. Otherwise the Big-Mit contingent says it may lose interest in the party, as it formerly lost interest in other parties, and follows Joe Cohen out of the Democratic stall, and Joe Lippman out of the Republican.

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CHURCH NOTICES.

The regular monthly meeting of Liberty stake primary officers will be held at the stake tabernacle, Sept. 14, 1907, in the Ninth ward meetinghouse at 2 o'clock. All officers and workers are urged to be present.

JOSEPHINE WOOLLEY, President.

EFFIE SPEILS, Secretary.

The Granite stake Y. M. and Y. L. M. L. A. annual convention will be held in the stake tabernacle Sept. 15. Meetings at 10:20 a. m., 2 and 7:30 p. m. Every officer and worker is expected to be present.

PRESTON D. RICHARDS, ZINA B. CANNON.

The quarterly conference of the Salt Lake stake will convene Sunday, Sept. 15, 1907. Meetings will be held at 10 a. m. and 7 p. m. in the assembly hall and at 2 p. m. in the tabernacle.

NEPHI L. MORRIS, GEORGE E. EMERY, EDWARD T. ASHTON, Stake Presidency.

A convention of the M. L. A. officers and members of English stake will be held Sunday, Sept. 15, 1907, at 10 a. m. in the tabernacle. The subject of family government will be made by two of the brethren especially appointed for that purpose and all high priests are urged to be present.

N. V. JONES, C. L. MILLER.

The regular monthly meeting of the high priests' quorum will convene in the Granite stake tabernacle on Sunday, Sept. 15, 1907, at 10 a. m. The subject of family government will be made by two of the brethren especially appointed for that purpose and all high priests are urged to be present.

N. V. JONES, C. L. MILLER.

The semi-annual conference of the lesser priesthood of Pioneer stake, will be held in the stake hall on Monday, Sept. 16, 1907, commencing at 7:30 p. m. All the lesser priesthood are expected to be present.

WM. McLAUGHLIN, SYLVESTER C. CANNON, CHARLES H. HYDE, Stake Presidency.

The English stake priesthood meeting will meet in regular session Monday evening the 16th inst., at 7:30 o'clock in the Twentieth ward meetinghouse.

RICHARD W. YOUNG, JOSEPH S. WELLS, JOHN M. KNIGHT, Stake Presidency.

The priesthood meeting of the Salt Lake stake will be held in the Sixteenth ward meetinghouse at 7:30 p. m. Monday, Sept. 16, 1907.

NEPHI L. MORRIS, GEORGE E. EMERY, EDWARD T. ASHTON, Stake Presidency.

Recruits of the Birmingham saints and others will be held in the Pioneer stake hall at a half past eight o'clock of Main and Fifth South streets, Friday, Oct. 1, 1907.

W. W. PHELPS, Pres. S. W. (PHELPS), Vice Pres. EDITH JONES, Secy.

FREE MUSIC LESSONS

Madison Bradbeck will give one month's free lessons in Piano or Violin to any public who wish to study at her studio. Her superior methods which she acquired at the Royal Conservatory, Stuttgart, Germany, and under Manuel Garcia, London, England, 1893, has attracted many students. Studio, 369 East Street (between State and Second East, on Ninth South.)

L. D. S. UNIVERSITY STUDENTS

We have your Text Books. Examine our Price List.

We have the largest and best variety of school stationery in the State.

We welcome the students of all the schools of the city and will give their wants our special attention.

DESERET NEWS BOOK STORE, The Leading Book Concern, 4 Main Street.

SPECIAL GRAND JURY IS ORDERED

Ostensible Object in Calling it is
To Inquire Into the Idaho
Land Frauds.

THE BORAH CASE IS INVOLVED

Charged That U. S. Atty. Ruick Used
Force and Coercion to Secure
Senator's Indictment.

Boise, Ida., Sept. 12.—Judge Dietrich in the federal court this morning issued an order for a special grand jury to appear on Thursday, Sept. 19. The order was issued at the instance of Judge M. C. Burch, special assistant attorney-general of the United States, who is here for the purpose of inquiring into matters in connection with the Idaho land frauds. Owing to the statement by Judge Dietrich that no grand jury would be called for this term, the order created great surprise. It is understood here that the order was really the result of a plea in chambers filed by the attorneys for Frank Martin, one of the men indicted by Senator Borah and others, which pleads make serious and sensational charges of misconduct on the part of United States Atty. Ruick. These charges are that Ruick used force and coercion in securing the indictment of Borah and his fellow defendants and are supported by the affidavits of three of the grand jurors. These jurors, who are named in the case before the jury and presented indictments in blank which he insisted the jurors should sign before he would leave the room. Similar affidavits are presented by the other members of the recent grand jury according to the attorneys in the case.

THIRD TERM.

Congressman Longworth Thinks Pres-
ident Never Thought of It.

San Francisco, Sept. 12.—Speaking upon the subject of the third term of President Taft, Congressman Longworth described his tour of the islands as being most delightful and profitable. He said he had heard no word indicating any possible trouble with the Japanese on the islands. Referring to rumors regarding Roosevelt, he said he did not think the president ever entertained a thought of a third term.

CHILDREN ON STAGE.

Nebraska Theaters Warned Not to
Permit Their Appearance.

Lincoln, Neb., Sept. 12.—Labor Commissioner Ryder this morning sent notices to Nebraska theatrical houses warning them not to permit children under 16 years to appear on the stage. The rule also applies to all opera or theatrical companies giving performances on the stage.

BURTON OF NEVADA, MO. COMMANDER-IN-CHIEF, G.A.R.

Saratoga, N. Y., Sept. 12.—The first annual encampment of the forty-first annual encampment of the Grand Army of the Republic took place today. The early hours of the session were devoted to the annual address and reports of Robert W. Brown, commander-in-chief; Joseph M. O'Neill, adjutant-general; William H. Armstrong, senior vice-commander-in-chief; Dr. W. H. Johnson, surgeon-general; Warren Lee Gross, patriotic instructor; and other officers.

Patriotic Instructor Gross urged that steps be taken to place military instruction in the curriculum of the public schools.

Mr. Johnson recommended the establishment by the government of hospitals for insane veterans be hastened. Charles C. Burton of Nevada, Mo., was this afternoon elected commander-in-chief of the Grand Army of the Republic.

The Woman's Relief corps today elected Miss Kate E. Brown of New York city national president.

As a result of the parade yesterday two of the veterans died today.

LEADING JAPANESE KILLED.

Seattle, Wash., Sept. 12.—Matasiro Tsukano, president of the Oriental American bank and president of the Orienta Trading company, and one of the best known, wealthiest and most influential Japanese residents of Seattle, was instantly killed this morning by a high flying airplane which struck him in front of the Great Northern dock, at Smith Cove.

MOVEMENT FOR A MONUMENT TO BILL NYE, HUMORIST.

Los Angeles, Cal., Sept. 12.—Princes of funny fellows will gather in Los Angeles next week, when the national convention of the Press Humorists' association will meet here. The meeting, the fifth of the newspaper humorists, will be held through the inauguration of a movement for the building of a monument to the late Edgar Wilson Nye, better known as "Bill" Larraine, Nye, is a favorite location for the memorial, that town having been the scene of the humorist's earliest efforts and some of his best work. Asheville, N. C., where Mr. Nye died, has also been mentioned, but general sentiment apparently favors the Wrooking city.

One of the feature events of the convention will take place next Friday, when a dozen humorists of national reputation will appear on the local stage in a performance to aid the Nye monument fund. Among those on the program are the Rev. Robert J. Burdett, now a resident of Los Angeles; Charles Battell Loomis, Eli Perkins, Strickland W. Gilliam, Edward Vance Cook, Wilbur D. Nesbit, S. D. Kiser, Sam Davis and Thomas A. Daly. Unless the distinguished visitors impressably fall down on their assignments, the Los Angeles public will be given its money's worth of laughter and tears.

Frank Thompson Bearlight, secretary of the association, assisted by Los Angeles newspaper men, have completed preparations to give the professional funny men the time of their lives in the City of Angels, and will be backed up in the attempt by the entire population. The only fly in the ointment will be the absence of Mark Twain, who has written that he will never again make a land voyage if it can be avoided, "honorably or otherwise."

FINE ACCOMMODATIONS

Are afforded to those who have a safety deposit box in our fire and burglar proof vault. You can get a safety deposit box most anywhere in a dingy vault open from 9 a. m. until 3 p. m. Ours are new, well lighted, open until 6 p. m., with an attendant who does nothing else. In connection with the vault there are private booths and writing rooms for every one.

SALT LAKE SECURITY & TRUST CO. 33-4 Main St.

Take home a box of McDonald's Dutch Chocolates—others do. Just a little treat for the wife.

35c and 60c half a pound.

WEATHER REPORT

Record at the local office of the United States weather bureau for the 24 hours ending at 8 a. m. today:

Temperature at 8 a. m., 53, maximum, 58, minimum, 50, moon, 56, which is normal.

Precipitation since the first of the month, 0.7 inch, which is 22 inch below the normal.

Accumulated excess in precipitation since Jan. 1, 2.32 inches.

Relative humidity, 56 per cent.

FORECAST TILL 6 P. M. SATURDAY.

Local forecast for Salt Lake City and vicinity:

Generally fair tonight and Saturday; cooler tonight, with frost.

WEATHER CONDITIONS.

A trough of low barometric pressure extended from the middle and south plateau northward to the upper Mississippi valley. High pressure was central over the north Pacific states, north plateau, and the Ohio valley. These conditions have caused showers or thunderstorms over portions of Arizona, Utah, Washington, Montana, South Dakota, Minnesota and northern Michigan. Light frost was reported at Wemucca, Nev., this morning.

The north Pacific high pressure will cause generally fair weather in this vicinity tonight and Saturday, and cooler tonight with probably frost.

R. J. HYATT, Section Director.

MORGAN RENTS VIRGINIA HOME.

New York, Sept. 12.—News has reached here that J. Pierpont Morgan has leased a fashionable home in Richmond, Va., the Jefferson hotel and will occupy it with his family and guests during the triennial session of the Episcopal council, beginning on Oct. 1. He will pay \$8,000 a month rent. Mr. Morgan will go to Richmond in the capacity of a lay delegate.

R. E. Evans, Florist, 36 S. Main St. Floral Designs a Specialty, 'Phon 951.

Eber W. Hall, 225 South West Temple St. Funeral Director, Licensed Embalmer. Private Ambulance.

DIVIDED NOTICE.

UTAH-IDAHO SUGAR CO.—The regular quarterly dividend of 15 per cent on the capital stock of the company will be paid at the office of the company, Deseret News Annex, on September 30th, 1907, to stockholders of record on September 18th, 1907. The stock transfer books of the company will be closed September 18th, 1907, at 2 o'clock p. m. 1907, and reopened October 1st, 1907, at 10 o'clock a. m. HORACE G. EYMOND, Secy. & Treas.

PROBATE AND GUARDIANSHIP NOTICES.

Consult County Clerk or respective signers for further information.

IN THE DISTRICT COURT, Probate Division, in and for Salt Lake County, State of Utah. In the matter of the estate of Edward Reese, Deceased. The undersigned will sell at private sale the following described property, an undivided one-third interest in and to the following real estate, commencing and one-half mile north from the southwest corner of lot 4, block 24, plat "A," Salt Lake City Survey, and running thence south 4 rods, thence west 4 rods to beginning, after the 21st day of September, A. D. 1907, and written bids will be received at 20 Security and Trust Building, Salt Lake City, Utah.

Terms of sale, cash. Ten per cent of the amount bid must accompany written bid.

DAVID THOMAS, Administrator of the estate of Edward Reese, Deceased.

Date of first publication, Sept. 12, 1907. M. Thomas, Attorney for Administrator.

UNION DENTAL CO