# DESERET EVENING NEWS THURSDAY MAY 7 1908



Secures Voluminous Transcript Of Evidence Taken During His Trial.

DONALDSON ALSO ON LIST.

convicted of Complicity in McWhirter Scandal, He Seeks Redress in State's Highest Court.

The first step towards an appeal to the supreme court in the case of Joseph sullivan, convicted murderer of Policeman Churles Ford, and for which crime suffivan is now serving a life sentence in the penitentiary, was taken yesterday by his attorneys, Bailey & Vickery. Mr. Vickery secured an order from Judge Armstrong, before whom the cuse was heard, for a transcript of evidence in the case, which is neces-ar to present to the supreme court as

of appeal. a basis sullivan has no money and the state will have to pay for the transcript. This will be a voluminous document, as the taking of evidence consumed six days, and it is estimated the cost to estate will be in the neighborhood of \$250

amuel A. King, attorney for James samuel A, ising, attorney for James Domaidson, convicted of complicity in the McWhitter robbery, has filed the transcript, together with the bill of exceptions on appeal, in the district court yesterday in behalf of his client. The case may not be reached by the supreme court until late next fall.

## VERDICT IN SHEETS CASE.

## Jury Finds for Widow of the Victim of

Mysterious Tragedy.

jury in the case of Ella M The jury in the case of Ella M. Sheets against the Preferred Accident Insurance company, after being out three hours, yesterday afternoon brought in a verdict in favor of the widow for \$2,912.12. This verdict ex-ceeds that brought in at a previous trial by \$475.12. The policy involved had a face value of \$2,500. The suit grew out of the attitude of the insurance company in refusing to

the insurance company in refusing to pay the insurance on the death of Nephi L. Sheets who was found shot dead on the sidewalk near the City and dead on the sidewalk near the City and County building one night in Decem-ber, 1906. The friends and the family claimed that he was murdered while the insurance company held to the the-ory of suicide. The mystery has never been solved and no new evidence was brought forward in the latest trial held in the United States district court.

## WIFE AGGRAVATED HIM.

## David Lewis Hoped Coffee Would Poison His Spouse,

David B. Lewis has filed an answer David B. Lewis has hied an answer to his wife's suit for divorce, and from his statement it appears Lewis has also had troubles. Mrs. Lewis is suing her husband on the ground of cruelty, and alleges that he threatened to beat out her brains, "knock the devil out of her," and on one occasion expressed the hope that the coffee she was drinking would polson her. In his answer, Lewis admits that he did express the hope that the cream in his wife's coffee would polson her, but says he was greatly aggravated at the time, from the fact that he suggested, according to his answer, that some of the said cream be converted into butter to help earled the family excheage and this out her brains, "knock the devil out of cream be converted into butter to help enrich the family exchequer, and this so aggravated him that he made the statement indicated. The balance of the charges of cruelty Lewis denies. He says he is 52 years old, and at times cannot do hard work on account of rheumatism in his hands, but works hard when he can. For eight years past, he alleges, his wife has not work-ed in harmony with him, and has

The most significant word between you and your grocer is moneyback. Signifies fairness. Your procer returns your money if you don't

TEA

like Schilling's Best: we pay him, Line Railroad company, to recover \$3,000 for injuries received by being struck by a train at Minidoka, Ida., July 1, 1906.

July 1, 1906. Dunning & Clark Livestock company against the Oregon Short Line Railroad company and the Union Pacific Rail-road company to recover \$11,418.60 for damages to sheep being shipped over the companies' lines in October, 1907. James Davelle against the Union Pacific Coal company, to recover \$20,-000 for injuries received in an accident in a coal mine at Rock Springs, Wyo., Delatush Livestock company against the Union Pacific Railroad company, to

Delatush Livestock company against the Union Pacific Railroad company, to recover \$1,103 for damage to sheep be-ing shipped over company's line in No-vember, 1995. William Gilman against the Superior Coal company and the Union Pacific Coal company, for an accounting of goods sold to plaintiff by defendant, the allegation being that he was charged \$8,999.76 for goods that were only of the value of \$2,299.88, and that the de-fendants refuse to render an itemized statement. statement.

have set up his plea in bankruptcy in the garnishment proceedings, and from the fact that he made no such show-ing, the company was justified in mak-

SHEEP CASE ON TRIAL. Trial commenced today in the U. district court of the case of A. J Knollin against M. S. Foss and R. R Knollin against M. S. Foss and R. R. Bittinger, of the firm of Foss & Bit-tinger. The action involves a claim on the part of the plaintiff for \$7,956 damages. It is alleged that the de-fendants agreed to deliver to plaintiff 9,000 Idaho lambs, averaging 65 pounds in weight between Aug. 20 and Sept. 20, 1905, at the seller's option at \$5.85 the hundredweight. It is alleged that this contract was not lived up to, hence damages in the sum named are asked.

Daniel Jenkins has brought suit in the district court for \$2,591 damages against the Utah Con. Mining com-pany, alleged to have been caused the

pany, alleged to have been caused the plaintiff's crops from smelter smoke. Newton H. Bertram filed suit yes-terday to renew a judgment against J. W. Lisle et al., in the sum of \$1,246.21 entered in the district court of Esmer-alda county, Nev., last November. In the case of Albert Mayers, et al., vs. the Western Furniture com-pany, tried in Judge Lewis' division of the Third district court, the jury yesterday brought in a verdict for the defendant. The action was brought defendant. The action was brought to obtain possession of the store room at 242 south State street, the company

claiming right of possession under a claiming right of possession under a lease. Mrs. Alice Walker, colored, yester-day appeared in Judge Lewis' court in an action against the Deseret National bank, in which she claims a safety deposit box which she rented from the bank was robbed of a quantity of money and diamonds. She claims to have rented the box on June 30, 1901, and some time later denosited in it

will leave today for California, for will leave today Mrs. Sarah McChrystal and Mrs. C. Parsons have returned from Callfornia, . . .

Miss Edna Farnsworth was one of this afternoon's hostesses, entertaining at a bridge tea. The rooms were bright with flowers, and about 20 guests were present. . . .

Yesterday afternoon Miss Lucile Boyle and Paul D. Miller were mar-ried, the ceremony being performed by Rev. B. F. Short at the bride's by Rev. B. F. Short at the bride's home and an informal reception for the friends following. The bride wore a gown of white chiffon over taffeta and carried bride's roses, and her go-ing away gown was of navy blue taf-feta with hat to match. Miss McAntee played appropriate music and Miss Muriel Brennen served punch. Mr. and Mrs. Miller left afterward for the groom's home in Kansas where they will reside.

. . . . Mr. and Mrs. E. O. Howard enter-tained at dinner yesterday, the decora-tions being in white daisies and ferns and covers laid for 12.

Mr. and Mrs. John Reed entertained last evening at an informal dinner, the decorations being in llacs and about a half dozen present.

Mrs. P. S. Keogh gave an Orpheum party yesterday. Miss Ellnor Stewart will entertain at afternoon affairs on Friday and Saturday.

and green, carnations being used

visiting with relative in the east.

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Special Correspondence.

eight.

asparagus plumosa, and covers laid for

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## GARSIDE LOSES SUIT.

GARSIDE LOSES SUIT. Judge Ritchie yesterday decided the case of Aron Garside against the Unit-ed States Smelting company in favor of the defendant, on the ground of no cause for action. Garside had gone through the bankruptcy court, and when he discontinued his employment with the smelting company the com-pany owed him \$100. The amount was garnished and the company paid the money, as Garsides allowed the case to go by default, making no plea of bankruptcy in the premises. After the garnishement had been paid. Garside sued the smelting company for the amount, and the case went to trial. Judge Ritchie ruled that Garside should have set up his plea in bankruptcy in

## ing the payment.

visiting with relative in the east. Mr. and Mrs. John C. Cutler, Jr., on-fertained at their home on Wednesday evening, games and music being the features of the evening. Delightful vocal selections were given by Miss Bessie Westphal and Mrs. Latimer. The house was decorated with pink and white carnations, roses, likacs and other spring flowers. The following were among the guests; Gov. and Mrs. John C. Cutler, Mr. and Mrs. George Lam-bourne, Mr. and Mrs. George Lam-bourne, Mr. and Mrs. John Nicholson, Mr.and Mrs. William T. Edwards, Mr. and Mrs. O. P. Arnold, Jr., Mr. and Mrs. William J. Lynch, Mr and Mrs. Joseph S. Taylor, Mr. and Mrs. Van D. Spaulding, Mr. and Mrs. Charles Lam-bourne, Mrs. and Mrs. John Eardley, Mr. and Mrs. Weyher, Mr. and Mrs. Ernest M. Fowler, Mr. and Mrs. Mr. W. Rogers, Mr and Mrs. Simeon Black, Mr. and Mrs. Richard Madson, Mr. and Mrs. George Ernest Romney, Mr. and Mrs. Winsness, Mr. and Mrs.

### COURT NOTES.

Word comes from San Francisco

word comes from San Francisco that John H. Woodmansee and Rosa-line Gidney were married April 30, and left May 2 on a trip to Honolulu. They will be at home to their friends after June 20. Fred C. Graham has issued cards for a piano recital to be given by Miss Sybella W. Clayton on Tuesday, May 19 at the Salt Lake Theater. A body builder, strength producer, checks and repairs wasted tissues, in-vigorates the stomach, kidneys and

vigorates the stomach, kidneys and liver. Hollister's Rocky Mountain Tea carries new life to every part of the body. 35 cents, Tea or Tablets.— Godbe-Pitts Drug Co.

and some time later deposited in it the articles mentioned to the value of over \$1,200. On March 17, 1904. she alleges, she went to the bank for found it had been robbed. Mrs. Walker asks for judgment in the sum of \$1,195. The bank freely admits that the woman rented the deposit box. but denies upon information and be-lief that she ever deposited the amount of money and jewels in it she claims to have done. The case is being continued today. The case of B. D. Gammon, charged with embezzling \$352.70 from the Thiel Detective Service company in December, 1906, which has occupied December, 1906, which has occupied Judge Armstrong's attention off and on for a week, was concluded yes-terday evening and submitted to the jury. At 10:30 the jury reported that no verdict had been reached, and as one of their number was ill, the jury was sent to a hotel for the night.



Convention Adopts Amended Form of A. F. of L. as Utah Standard.

## MINERS ALSO IN SESSION.

### Utah State Union Holds Meeting in Labor Hall But Keeps Proceed\_ ings Under Cover.

Yesterday's session of the Federaion of Labor convention was well attended, and the interest manifested augured well for the remaining meetings of that organization. Thirtyfive organizations were represented. and the presiding officer was John N. Spalding, president of the association. Secretary-Treasurer Austin Davis act-

Yesterday Mr. and Mrs. J. G. By-water and Misses Jeanette and Gladys Bywater were guests of honor at a dinner given by Mrs. J. M. Jorgensen, previous to their departure for New York. The decorations were in white and green corrations being used with ed as scribe. A number of addresses were delivered during the day, and committees were appointed as follows:

Resolutions and Legislation-Dennett, Typographical, Salt Lake City, hett, Typographical, Salt Lake City, chairman: Kneass, Salt Lake Federa-tion of Layor, Salt Lake; Turner, Bar-tenders, Ogden; Ellis, Carpenters, Salt Lake; and Buttler, Street Car men, Salt Lake City. Reports of Officers-Steward, Bar-tenders, Salt Lake, chairman; Gray, Plumbers, Salt Lake; Gravitt, Typo-graphical, Ogden; Gammett, Carpen-ters, Bingham: and Porter Postof-E. Stenger, superintendent of the Rio Grande Western, has gone to Oma-ha to meet Mrs. Stenger who has been

graphical, Ogden; Gammett, Carpen-ters, Bingham; and Porter, Postof-fice Clerks, Salt Lake City. Constitution—Piggott, Barbers and Ogden Trades and Labor assembly, chairman; R. E. Currey, Carpenters, Ogden; the Rev. Mr. McCreery, Min-isterial association, Ogden; and Gos-ling, Musicians, Salt Lake. ing, Musicians, Salt Lake.

### OFFICIAL STATEMENT.

A constitution and bylaws were adopted by the convention, the consti-tution of the American Federation of Labor being the standard, with chang-es to meet local conditions. The fol-lowing was given out by Secy. Davis as an authorized statement of the or-ganization:

ganization: "The experience of the Knights of Labor, which was at one time the largest industrial organization ever gathered together, containing all of the various cuits of social unrest, which ranged from a delegate from the Sunday school union to the videous and Mrs. George Briest Romney, Mr. and Mrs. Winsness, Mr. and Mrs. Hunt, Mr. and Mrs. Latimer, Mrs. Martha Lambourne, Mrs. Westphar, Misses Jennie Ottinger, Bessie West-phal, Mabel, Vera and Ruby Lam-bourne and Delphine Bateman, the Sunday school union to the vicious delegate mouthing the propaganda devised by such leaders as Herr Most and men of his ilk. The vagarles of Bakonounine, the nihilist from Si-berla's steppes, to the deep-toned breathings of social philosophy as ex-pounded by Carl Marx, were brought to a new and virgin land, where all men were equal, where freedom of speech existed, and where by such teachings mountains were made of mole hills. the Sunday school union to the vicious

nole hills mole hills. In the advent of the American Fed-eration of Labor, by the strenuous la-bor of love of the exponents of a simpler social philosophy, which ex-cluded all of the drastic teachings born on foreign soil under king, em-perer and untersued conditions things born on foreign soil under king, em-peror and untoward conditions, things have changed, and a saner idea and simpler view of the objects to be ar-rived at have been expounded from rostrum and pulpit and by the press. Coming into existence at a period of great financial depression in the Unit-ed States, following in the wake of great and serious mistakes made by such organzations as the Knights of ministration, and was also a repre-sentative in Congress from West Vir-ginia. He was at one time chairman of the committee on ways and means. Paymaster Wilson entered the naval

WESTERN MARKET LETTER. such organizations as the Knights of Labor, led by Powderly, and the Am-erican Railway union, led by such demagogic leaders as Debs, the new organization had a hard fight to be properly understood and to fulfill its Those for April Very Much Larger service in March, 1904. Kansas City Stock Yards, May 5 .-Larger cattle receipts last week brought a decline in prices, but westrn fed steers lost only 5 to 15 cents true mission, which comports in action and idea expressed by the best citizenduring the week. Cows and heifers remained steady, and stockers and feeders gained 10 cents, which put the Among the active members of the convention was Rev. G. W. McCreery, of the First Methodist church, Ogden, latter at the best point since first of the year, and 25 cents above first of April. Run is lighter today, 9,000 head here, and moderate elsewhere, and the marwho was sent as a representative the Ministerial association of th city. Mr. McCreery introduced who was seen as a representate of the Ministerial association of that city. Mr. McCreery introduced sev-eral resolutions and was otherwise conspicuous in the proceedings. In the same building, Federation of Labor hall, the Western Federation of Miners held a convention yesterday and are in session again today. The organization is know as Utah State union No. 1, C. F. Anderson of West Jordan, president, Joseph Langford of Eureka, secretary-treasurer. Two unions of Eureka are represented, as are also Bingham, Park City, Murray, that and moderate elsewhere, and the mar-ket is 5 to 15 cents higher. The last shipment of the Lockhart steers for this season sold at \$6.85 today, highest price at which they have sold here this year; they started in at \$5.25 for the first shipment, two months ago. Other Colo. shipment, two months ago. Other Colo-rado steers have been selling recently at \$6.15 to \$6.65, some hay fed steers at \$5.75, Montana feeders \$5.50, Utah heifers \$5.50, western stockers \$4.50 to \$6.50, some New Mexico stock calves, 372 pounds, at \$5.40. In times of care-ful meat buying by the public, light cuts are always more readily disposed of, and the big heavy cuts are slow sale, which makes handy weight steers such unions of Eureka are represented, as are also Bingham, Park City, Murray, West Jordan, Mercur, Kimberley, Schofield, and Castle Gate. The meet-ings are secret, so that little is known of what the convention is considering. which makes handy weight steers such good sellers, as compared with heavy weights, and accounts for she stuff



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Jos. Nelson. Vice-Prest.

NATIONAL BANK OF THE REPUBLIC

ed in harmony with him, and has taught his sons to treat him with distaught his sons to treat him with dis-respect, and for them not to assist him on the farm unless they are paid for their work. He also alleges that his wife left him four times for short periods within a year, although he laims he has always been a kind and loving husband

### TRANSFER OF COURSES.

Actions were filed in the Third dis-trict court yesterday, on removal from the Second district court at Ogden, as renzo Rowbottam vs. the Union

Pacific Coal company, to recover \$30,-588 for injuries received in a coal mine accident at Cumberland, Wyo., Oct. 27,

Ida Larsen against the Oregon Short



This woman says she was saved from an operation by Lydia E. Pinkham's Vegetable Compound.

Lena V. Henry, of Norristown, Ga., Writes to Mrs. Pinkham: "I suffered untold misery from fe-

"I suffered untold misery from fe-male troubles. My doctor said an opera-tion was the only chance I had, and I dreaded it almost as much as death. "One day I read how other women had been cured by Lydia E. Pinkham's Vegetable Compound, and I decided to try It. Before I had taken the first bothe I was better, and now I am entle I was better, and now I am entirely cured.

"Every woman suffering with any female trouble should take Lydia E. Pinikham's Vegetable Compound."

FACTS FOR SICK WOMEN. For thirty years Lydia E. Pinkham's Vegetable Compound, made from roots and herbs, has been the standard remedy for female ills, and has positively cured thousands of women who have been troubled with displacements, inflammation, ulceration, fibroid tumors, irregularities, periodic pains, backache, that bearing-down feeling, flatulency, indiges-

tion, dizziness or nervous prostration. Why don't you try it?

Mrs. Pinkham invites all sick women to write her for advice. She has guided thousands to health. Address, Lynn, Mass.

## WANT STATE CAPITOL.

Real Estate Association to Ask for Issue of Bonds for Purpose.

At yesterday afternoon's meeting of ask the state to issue \$2,000,000 worth of bonds to provide for the erection of a state capitol in this city; and on Mr. Morningstar's suggestion, it was decided to appoint a committee of three to consider, and report on the feasibility of asking the state to issue 50 year 3½ per cent bonds. The committee will be chosen later. A telegrain was received from U the Real Estate association, the

committee will be chosen later. A telegram was received from U. S. Senator Smoot stating he had con-ferred with the president relative to enlarging the national park in the San Juan, so as to protect the natural cur-iosities there, and that the president had agreed to do so. The association decided to delegate one of its mem-bers to represent it at the coming Chicago real estate convention, the president to make the selection. The water problem was brought up, and

\$5.00.

FAT FOLKS FAVOR

Home Mixture That Takes Off the Fat Rapidly—Causes No Wrinkles— No Stomach Ills and Requires

Neither Dieting Nor

tent fat "reducers." This self-sacrifice of comfort and health to overabundant fat is entirely unnecessary, however, as Mrs. Luella Bigger tells us there is a home receipt that is far superior in every way to anything money will buy for reducing superfluous flesh. It is said this simple mixture will take the fat off of man or woman at the rate of at least a couple of pounds a week without even causing wrinkles. Moreover it does not disturb the stomach, but is a good

Exercise.

president to make the selection. The water problem was brought up, and Judge Colborn was instructed to ap-point a committee to ascertain how the water rates charged in this city compared with those obtaining in oth-er cities. The city engineer presented the association with a lithograph map or sait take of Sait Lake.



At the bridge tea given yesterday by Mrs. A. C. Wherry lilacs and car-nations were the decorations and prizes nations were the decorations and prizes were won by Mrs. W. D. Foster, Mrs. T. R. Brown, Mrs. Dana McCready and Mrs. M. E. Lipman, Assisting the hostess was Mrs. Alex Eberhardt,

This afternoon Miss Lorene Leary is hostess at a tea in honor of Miss Sad-ler and Miss Stingley, the rooms being decorated in white lilacs and white roses, and about 40 being entertained. The hostess was assisted by Mrs. Les-lie Savage, Miss Terrill and Miss Mil-dred McMillan.

The smart, up-to-date women of toholding up strnog. The supply of 34,000 head here last week will likely not be equaled again till grass cattle move freely. day Know how to bake, wash, sing and

play; Without these talents a wife is N. G., Unless she takes Rocky Mountain The old complaint of slow sale for the mutton was used effectively to depress

-Godbe-Pitts Drug Co.

Grand ball, Saltair, May 8. Held's

----POLICE FIND TOOLS.

celpts of Colorados are rapidly dimin-ishing, wooled lambs today at \$6.90 to \$7.15, clipped lambs \$6.20 to \$6.40, clipped sheep worth \$4.75 to \$5.50. A number of shipments of good Texas muttons are here today, the Ferguson & McKenzie 105-pound weathers sell-ing at \$5.45, Prosser 96-pound, \$5.45, Hamilton, 104 pounds, \$5.40. Medium low class Texas stuff sells at \$4.25 to \$5, some of the Hart ewes late last week at \$5.10, goats today at \$3.80. Considerable feeding stuff is going out, lambs at \$5.50 to \$6.25, sheep \$3.50 to \$5.00. Officer Beckstead and Ben Taylor found at the rear of Mullett's store last night a box containing a set of carpenter tools. The box was removed by the officer and the owner of the same may recover the property by communicating with the department.



There was a burglar alarm last night from the Salt Lake House on Second West between First and Second South streets but when the police arrived there was nothing to occupy their official thought or action.

TWO CASES FOR VOLUNTEERS.

Exercise. Too much fat is both uncomfortable and dangerous, but usually fleshy peo-ple prefer to put up with its inconveni-ence rather than pusish themselves with the tiresome exercising usually prescribed, or endanger their health by taking the so-called "cures" and pa-tent fat "reducers." At the Volunteers' dispensary this morning two cases were reported for moning two cases that of a Mexican named Joe Martin, suffering from pheu-monia, and the other was a medical case, the patient being P. H. Kling.

## MUST SHINE THEIR BOOTS.

Chief of Police Pitt proposes that his officers shall look neat and clean this summer. In addition to ordering white vests, single breasted blouses and white hats, be has ordered a gross of shoe polish and will insist that the patrolmen keep their shoes polished. .....



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MISSOURI RIVER\_\_\$40.00